

LUKE'S PORTRAYAL OF ST. PAUL AS A MAN
OF HIGH SOCIAL STATUS AND MORAL VIRTUE
IN THE CONCLUDING CHAPTERS OF ACTS

by

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A Dissertation
Submitted to the Faculty of New College
In Partial Fulfilment of the Requirements For the Degree of
Doctor of Philosophy

Edinburgh University

August 1988



UNIVERSITY OF EDINBURGH

ABSTRACT OF THESIS (Regulation 7.9)

Name of CandidateLentz, John Clayton, Jr.....
Address3/7 James Court, Lawnmarket, Edinburgh EH1 2PB.....
DegreeDoctor of Philosophy..... Date10 August 1988.....
Title of ThesisLuke's Portrayal of St. Paul as a Man of High Social Status and Moral
Virtue in the Concluding Chapters of Acts:.....
No. of words in the main text of Thesisapprox. 100,000.....

In this dissertation we attempt to show that Luke portrayed Paul as a man of high social status and moral virtue in the concluding chapters of Acts. Luke's purpose was to attract non-Christians to the faith by holding up Paul as an example of cosmopolitan Christianity.

In Chapter 1 the various positions that scholars have taken on the issue of the Lukan Paulusbild are surveyed. Most scholars believe that Paul serves a dual function for Luke. The first is to stress Christianity's continuity with Judaism. The second is to show that Christians are law abiding members of the Roman empire. It is agreed that, in Acts, Paul is a loyal Jew. Yet Luke also crafted his portrait of Paul in order to highlight Paul's illustrious Graeco-Roman credentials. Furthermore, Luke is not nearly as positive about the Roman authorities as most would contend. While many students of Luke-Acts believe that Acts was a pastoral work directed to a Christian community, we contend that Acts had an evangelistic purpose and was directed to non-Christians.

In Chapter 2 the terminology of social status is defined and the status characteristics which would have been significant to the first century Graeco-Roman world are identified. The important status attributes included good pedigree, citizenship, education, wealth, and moral virtue.

In Chapter 3 Paul's biographical data, as presented by Luke in Acts, is investigated. It is improbable that Paul could have combined a strict Pharisaic upbringing with citizenships of Tarsus and Rome. Each one of these biographical claims is a mark of social distinction. Taken together the Paul of Acts becomes one of the elite of the first century world. In addition, Paul's wealth is implied, his education is alluded to, and his sophistication is demonstrated. Luke shaped a composite picture of Paul in order to stress his social credentials.

Chapter 4 presents a general discussion of Moral Virtue (*ἀρετή*). Philosophers, rhetoricians, poets, historians, and lawyers all assumed that virtuous conduct was the mark of an outstanding individual. In Acts, Luke is aware of and uses the common rhetorical devices of his day to emphasize Paul's virtuous character. Luke also attempts to demonstrate that Paul became a man of virtue at his conversion.

In Chapters 5 and 6 a position is advanced that Luke's accounts of the trials and incarcerations of Paul are not factual reports in all their details. Yet, they do reflect the social expectations of the first century. Roman citizens did possess certain rights and privileges. However, the evidence suggests that privileges were more frequently expected by and given to those Romans of high social status. These scenes in Acts are fashioned in order to show that Paul was not merely a rank-and-file Roman citizen. Paul, in the last eight chapters of Acts, requests an apology from over zealous magistrates, speaks boldly before governors and kings, and demands a trial in Rome. He is held under light house arrest. In short, the Paul of Acts would have been recognized by the general audience of the first century as a man of high social status and moral virtue.

In conclusion, Christianity is, to Luke, a mark of social distinction

and Paul is the model to be imitated.

Use this side only

Declaration

I declare that this dissertation is my own composition and is, except where specifically stated otherwise, the result of my own research.

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Acknowledgements

I gratefully acknowledge a debt to a variety of sources for their financial support. Rotary International awarded me their graduate fellowship which brought me to Edinburgh. An Overseas Research Fellowship, an Edinburgh University Studentship, a grant from the American Friends of Edinburgh University, contributions from The Colonial Church of Edina, Minnesota and the New York Avenue Presbyterian Church of Washington, D.C., as well as the generous gifts from my parents, kept me here.

I have depended upon the wisdom and encouragement of numerous scholars who, although they neither knew me nor read my work, graciously responded to my letters. Professor Jacob Neusner from Brown University wrote two lengthy letters to me concerning Diaspora Judaism. Professor E.M. Smallwood gave me an afternoon to talk about citizenship in Greek cities. Mr. Roy Pinkerton and Professor J. Richardson of Edinburgh University gave of their time to help me with particulars of classical literature and Roman law.

My debt to Professor J.C. O'Neill and to the entire New Testament department at New College is enormous. I was honoured to learn from them. Above all I would pay tribute to Dr. David Mealand who supervised this dissertation. His patience was extended, but always intact as he read and re-read revision after revision. His pastoral touch was apparent at just the right time and his advice and support always lifted me. If any part of this study is well argued or well written it is due to Dr. Mealand's remarkable critical acumen. I also thank Dr. Miriam Edwards for proof-reading the manuscript.

I can never repay the debt I owe to my Mother and Father and two brothers Peter and Andrew. They have always rejoiced in my accomplishments and thought me better than I really am. Finally, I give thanks for my wife Deanne whose endless faith in me, and supporting and abiding love, have kept me reaching for the goal.

James Court,
Edinburgh,
August 1988

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Dedication

To my brother Peter (1954-1986) who told me to keep writing,
and to my wife Deanne who made sure that I did.

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Introduction

We recall the words of W.D. Davies who, at a Festtag for the retiring professor of New Testament at New College, Hugh Anderson, spoke of the "explosion of knowledge" that has occurred in the study of the New Testament. Davies saw the blessing and the curse of such an explosion. An explosion of knowledge implies that new insights are being discovered, new methods are being used, and, in short, there is a new vitality in the search for the answers to almost all of the questions of the New Testament - so much for the blessing. The curse of this explosion is the debris. There are so many new publications to be sifted through. There is so much that a student must be responsible for today. Furthermore, much of the fallout of the new explosion has covered up and obscured the truth of the past ages.

Davies' metaphor is an appropriate one to describe the current interest in Luke-Acts. So much has been written on Luke's portrayal of Paul in Acts (Paulusbild), that it is not without trepidation that we seek to add our comments on this aspect of the Lukan narrative. Yet, Davies' comments serve as a challenge and a warning. We are challenged by the possibility of adding to the vast corpus of the literature in the hope that it will not merely be more debris. Yet, we are warned that to add to the blessings of scholarship we must read the narratives in Acts with proper respect and not merely be carried on by the latest fads of scholarship.

In our reading of Acts we were confounded by the way Paul was portrayed. While every astute commentator acknowledged that Paul plays an exceedingly important role in Acts, we were not satisfied by the many

attempts to understand the portrayal and how it served Luke's larger aim. While many were convinced that Luke portrayed Paul as a loyal Jew in order to highlight Christianity's continuity with Judaism in order to assuage inner church anxiety, we were intrigued by the scenes in which Paul claims his citizenships of Tarsus and Rome. Furthermore, we sensed a mood in Acts that was not anxious but triumphant. We wondered how probable it would have been for Paul to have been born into a strict Pharisaic family, while at the same time possessing Roman and Tarsian citizenships. We found that most scholars either failed to deal adequately with the issue, or did not see the importance of it at all.

As we continued our study of the last eight chapters in Acts we became convinced that Luke was shaping his narrative in order to highlight Paul's social status credentials. It was not just Paul the Jew, but it was Paul the Tarsian, Roman Jew who showed himself to be comfortable in the company of the high and mighty. We also noticed that in Acts Paul was always portrayed as a man who was in control. Luke, it seemed, wanted to stress Paul's authority not only in the church but also among the secular leaders. Paul, after his conversion, was also a man of sobriety, bravery, and piety. While scholars had noticed that Luke seemed interested in the early converts who were of high social status, no one had formally studied the status of Paul, as presented in Acts.

It is obvious that, for most of the last eight chapters, Paul is on trial. We were intrigued by Luke's account of the legal process from Paul's arrest in Jerusalem to his house arrest in Rome. How likely was it that an individual in the Eastern provinces of the Empire would have been treated with such respect - even if that individual was a Roman

citizen? Did every Roman citizen get his appeal granted? Was Paul's "appeal" a formal appeal? Did a person's social status have anything to do with how that individual was treated? While most commentators agreed that Luke's account of Paul's trials was not exact in all its details, no one has investigated how Luke's report might have reflected the social and legal expectations of the first century. Most believed that Luke consistently portrayed Roman authority as just and protective. We found this assertion difficult to prove. Rather, Roman officials were foils to Paul and were considered just or unjust in their reaction to him.

Many students of the New Testament have become increasingly sensitive to social-historical issues and have used sociological jargon to describe the early church. However, we concluded that no one had adequately studied the portrayal of Paul in Acts with a proper regard for the importance of social status for the Graeco-Romans of the Mediterranean world of the first century.

Therefore, in this dissertation we will consider Luke's portrayal of Paul as a man of high social status and moral virtue. We will show how Luke reflects the social expectation of his social environment. We will try to discern the probability of the biographical data presented in Acts. It appears to us as if Luke wanted to present a portrait of Paul emphasizing his social credentials. We will attempt to understand the more subtle literary techniques that Luke used in order to stress Paul's authority and control. Our hunch is that Luke was concerned to describe Paul as a man of virtue. We will investigate the relationship of social status and legal privileges in the Roman empire of the first century. In so doing we hope to understand better the characterization of Paul

and Roman officials and discover the purpose of the legal scenes in the concluding chapters of Acts.

Yet before entering into a discussion of these specific topics, our first task will be to offer an overview of the positions taken in scholarship concerning the portrayal of Paul in Acts. The purpose of this task will be to identify the crucial issues involved in such a study, describe the various ways in which students of Acts have sought to solve the many dilemmas, and to present our own unique perspective.

Chapter 1:

Luke's Paulusbild

Perhaps the best way to enter into the discussion concerned with Luke's Paulusbild in Acts is to state our thesis from the beginning. We believe that Luke portrayed Paul as a man of high social status and moral virtue. In other words, the Lukan Paul possesses high social credentials and personifies what would have been recognized, by the first readers/ hearers of Acts, as the classical cardinal virtues. Luke accomplished this task not only through the use of descriptive words and phrases but also emphasized Paul's high social status through the use of common rhetorical devices and the construction of his narrative.

In Acts we see the movement from Palestine to Rome, from the parochial and the provincial to the capital of the civilized world. Of particular significance is the final section of Acts 21:37-28:31. It is important because these final chapters possess a particular integrity that includes Paul's arrest and imprisonment prior to his arrival in Rome. In this section the reader is presented with a Lukan description of Paul that is fuller than earlier descriptions and truly places Paul on a pedestal above all others. His background and and social standing, as we shall attempt to show, are impeccable by both Graeco-Roman and Jewish standards. It is as if Luke intentionally presented Paul as one of the *splendidiores personae*.

The final section is significant for it is longer than the whole of the chapters describing Paul's mission. We shall assume that just as Luke took consummate care shaping his narrative throughout his work, so too, here at the conclusion, he is aware of the importance of this last

picture that the reader will receive. As R. Maddox has stated:

When we read Acts as a whole, rather than selectively, it is Paul the prisoner even more than Paul the missionary whom we are meant to remember.¹

Yet, Luke did not intend to minimize the importance of the Christian mission. Indeed, we believe that Acts was written primarily for non-Christians with an evangelistic purpose in mind. Luke sought to evangelize by holding Paul up as the representative man of social credentials and moral virtue. With these characteristics in mind, Paul's arrival in Rome was important for Luke for, at last, his hero was where he belonged: in the capital, the centre of power and prestige. The question of how Christianity came to Rome is now clearly secondary to Luke, for he writes during a time when these communities are established. Of primary importance, particularly in the last eight chapters, is to show that Paul, and by extension, Christianity, belongs in the company of those of power and status.

As is true in our contemporary world, advertisements are directed not to those who possess what is advertised but directed to those who aspire to that which is advertised. Evangelism, too, seeks to advertise and sell its product to the uninitiated. We believe that Luke's emphasis on Paul's high social status and moral virtue offered the reader a glimpse of the truly sophisticated, cosmopolitan Christian gentleman and extended to the status conscious Graeco-Roman world an invitation to join the ever growing community of Christians which the Lukan Paul represented.

We must admit that our interest in Luke's sensitivity to the issue of social status in Acts is not new. We stand in a long and illustrious line of scholars who have made similar statements. For example, H.J.

Cadbury wrote:

Furthermore our author is not above a sense of pride in the social standing of Paul's converts...The Asiarchs were undoubtedly some of the 'best people' in Ephesus - the richest and the most élite...It is perhaps a mark of Luke's Greek viewpoint, that this timarchic or economically aristocratic emphasis occurs so often in reference to the Apostles' converts.²

E. Haenchen takes for granted that the Paul of Acts is an idealized portrait and often notices the Lukan tendency to portray Paul as a man of high social standing and authority. For example, he commented:

What was significant for world history demanded as its framework high society, the world of the high and mighty...and Luke was convinced that Christianity is of decisive significance for the whole world. But he could only express this conviction in the style of the literature of the period, and impart it to his own age, by making Paul again and again confront the statesmen and princes (even Caesar 27:24) and converse on friendly terms with the Asiarchs as with men of equal standing, and thus rising above the hole-in-corner existence in which great things cannot come about.³

By way of a final example, E. Plümacher contends:

Die gemeinsame Intention aller dieser Stellen, an denen Lk die Repräsentanten des Christentums so deutlich auch als Repräsentanten hellenistischen Geistes und hellenistischer Bildung darstellt... liegt offensichtlich in dem Versuch, unter dem Aspekt von Bildung und Kultur am konkreten Beispiel nachzuweisen, dass das Christentum durchaus den Anspruch erheben können, in der hellenistischen Welt als Faktor von Rang und Bedeutung zu gelten und keineswegs als ungebildete quantité négligeable abzutun sei.⁴

While all of these scholars have noted, with great sensitivity, the status of the converts, none of them, in any systematic way, have offered a full discussion of the portrayal of the Paul of Acts paying specific attention to the status characteristics which Luke chose to describe. Their attention is ultimately directed elsewhere. Likewise, no one has given enough attention to the way in which Luke has described Paul as the ideal man of true virtue (ἀρετή).

We believe that our study is unique and important in that it

focuses attention on a particular portrayal of the Paul of Acts that has not received enough consideration, and advances the insights of those scholars mentioned above. Furthermore, in the light of the present trend in Lukan scholarship, our study acts as an important corrective. While many scholars highlight Paul's Jewishness, we insist it is not the only component, nor even the most important component of the portrayal of Paul in Acts. Moreover, we believe that our evidence suggests that Luke was writing primarily for a non-Christian audience.

Before entering fully into our discussion, some brief, general comments are in order about our presuppositions concerning Acts. Firstly, this dissertation can hardly answer all the questions of source and redaction criticism and we will not, for the most part, comment on Luke's gospel. We will, however, assert, at this juncture, that we accept the traditional consensus opinion that an individual, whom we will call Luke, is the author/compiler of the two volumes that are known as Luke-Acts. Additionally, we will take this Luke at his word when he writes in his preface to Theophilus (Lk 1:1-4) that he has used sources, presumably both written and oral, some perhaps even from eye-witnesses to construct his narrative⁶. We believe that traditions about Paul were spread throughout the churches of the empire and it is more than likely that Luke collected and manipulated the various traditions to cast his characterization of the Paul of Acts⁶. The opinion of C. Burchard is relevant at this point as he writes: "Lukas schreibt nicht als Augenzeuge oder aus Kenntnis des Apostels und höchstens gelegentlich nach selbstgehörten Berichten von Augenzeugen oder Paulusbekannten, sondern mittelbar auf Grund von Tradition über Paul."⁷ Having said this, we must state at the outset that we accept, because our own study

provides additional confirmation for them, the general conclusions of many critical scholars who contend that Luke's narrative is only of secondary worth as a historical source for the life, mission, and theology of Paul. This is not to say that Acts is worthless as an historical source. We cannot deny that Luke knows his geography and presents important material which can inform an historian about the world in which Luke lived. However, we believe that one must be cautious of relying on the biographical data about Paul presented in Acts.

Although in chapter 3 we will have cause to compare, in brief, the biographical details presented by Paul in his letters with the data presented in Acts about Paul's early life, our overall interest is not concerned with differentiating the Paul of Acts from the Paul of the letters. We in no way belittle the importance of the continuing debates concerning the Lukan presentation of Paul's theology^a, or the vexing dilemma of the proper presentation of the chronology of the Pauline mission^b. Our focus is elsewhere. We seek a fuller understanding of how the characterization of Paul in Acts would have been perceived by those who first read or heard the Lukan narrative.

Luke's Paulusbild

It is inevitable for anyone who studies Acts to address the issue of Luke's characterization of Paul (Paulusbild). All would agree that, for Luke, Paul plays an important part in the larger aim of Acts. Likewise, most scholars would agree that Luke's attention to Paul's Jewishness and Paul's Roman citizenship are of vital importance to a proper understanding of Luke's purpose. In fact, judging from the most recent

scholarship, there is an ever growing consensus concerning Luke's audience and aim and the manner in which the figure of Paul serves the larger purpose. This is not to say that there are not still some divergences among scholars but, for the most part, there seems to be a general direction in which scholarship is moving on the issue of the Lukan Paulusbild.

The issues of a proper understanding of Luke's Paulusbild and identifying Luke's audience are usually discussed together, for a conclusion about the one often affects and determines the opinion about the other. With this in mind, it is necessary to review the prevailing opinions about Luke's intended aim and audience in order to place our understanding of Luke's concern in portraying Paul as a man of high social status and moral virtue within the larger context of scholarship and to articulate our unique position.

As stated above, the questions of the Lukan aim and audience should be discussed together. With regard to the issue of a Lukan audience and how this shapes an understanding of Luke's portrayal of Paul, three alternatives are traditionally given. The alternatives are: 1) Luke was writing to a specific Christian community (Lukan community) or a group of Christian communities; 2) Luke was writing to a general audience consisting primarily of non-Christians; and 3) Luke was writing a Christian apology to Roman officials. Since we will advance an argument that Luke was writing primarily for non-Christians, we will discuss the other two alternatives first.

Paul and the Crisis of the Church

By far the most accepted opinion, one that has become the consensus

opinion of the last fifteen years, is that Luke was writing to a Christian community in order to answer the existential dilemmas facing his church(es)¹⁰. The existential dilemmas or crises of faith, are usually listed as: 1) to explain the delay of the Parousia; 2) to deal with the problems of Jewish-Christian and Gentile-Christian conflict in the community; 3) to explain why Christianity had become primarily a religion for Gentiles and that the Jews had, for the most part, rejected their Messiah; 4) to offer a solution to the existence of Christianity in the Hellenistic world ruled by Roman authority. Regardless of what dilemma scholars emphasize, the primary presupposition is that Luke is first and foremost writing as a pastor.

The first of these dilemmas is usually associated with the work of H. Conzelmann. He perceived that Luke was not primarily an historian but a theologian, who sought to explain why Jesus' immediate return had not occurred in terms of periods of salvation history¹¹. Although Conzelmann's thesis has not gone unchallenged, his work has continued to influence and stimulate the next generation of scholars who stress the pastoral dilemma which the delay of the Parousia would have had on the first Christians. To Conzelmann, the Church, which has been conditioned by persecution, must endure in the face of disappointment¹². According to Conzelmann, Paul is important for Luke's purpose because, while he is persecuted, he nevertheless survives. Hence, Paul is the role model of the church which is also protected by the Spirit of God and therefore must endure¹³. Conzelmann does not discuss the characterization of Paul in detail so further comments concerning his work would take us away from our immediate task. We would however admit that the delay of the Parousia was a dilemma for the early church and Conzelmann's overall

discussion is highly commended even if one would have reservations about some of the details¹⁴.

The second and third existential dilemmas, that of the relationship between Jewish-Christians and Gentile Christians and the overall rejection of Christianity by the Jews have been the source of a vibrant and on going discussion since the days of M. Schneckenburger¹⁵ and F.C. Baur¹⁶ up to the present day works of J. Jervell¹⁷, J.T. Sanders¹⁸, and P.F. Esler¹⁹.

M. Schneckenburger has been recognized as the first scholar who presented a critical and detailed discussion of the purpose of Acts. Although Schneckenburger maintained the traditional position which affirmed the historical trustworthiness of Acts, the early dating of Luke's two volumes, and acknowledged Luke's position as a companion of Paul, he believed that Luke, a Gentile-Christian, wrote Acts in order to defend Paul from Jewish-Christian hostility. Hence, Luke emphasized Paul's Jewish upbringing, his loyalty to the law and his subordination to Peter and to the church in Jerusalem²⁰.

F.C. Baur, who in 1836 had already promoted his contentious thesis that Acts was an irenic document which was intended to assuage hostility between Pauline and Petrine Christians, seized hold of Schneckenburger's proposition and used it to support his own position²¹. Baur agreed that Luke's work was written in response to a specific crisis in the early church. Yet, in contrast to Schenkenburger, Baur perceived that Luke's purpose was not so much apologetic as conciliatory. To effect a reconciliation between the Jewish-Christian and Gentile-Christian, Luke emphasized Paul's Jewishness in order to show that Paul, and the Gentile-Christians whom he represented, had not rejected Judaism and

indicated that Paul tacitly understood his subordination to the twelve Apostles in Jerusalem. Likewise, Luke intimated that Peter, and the Jerusalem church which he represented, welcomed the inclusion of Gentiles into the church. What was radical about Baur's work was not the perceived purpose of Acts but his dismissal of the traditional positions and his contention that Acts was written in the second century, that Luke was not a companion of Paul and that the Paul of Acts was fictional more than factual.

Although F. Overbeck was quick to press his criticism that no Jewish Christian would find Acts a the least bit conciliatory²², Baur's contention that Luke legitimized Paul for the Church by emphasizing his loyalty to Judaism has, with various revisions, been accepted²³. Furthermore, Baur's critical evaluation of the historicity of Acts and his insistence that Luke was more a creative author than historian set the stage for all subsequent debate of Luke's two volumes.

Of more recent vintage, J. Jervell would support the essential thesis that Luke's main concern was the relationship of Christianity to Judaism. However, Jervell would contend that Luke was not defending Paul from Jewish-Christian hostility, nor reconciling factions. Rather, Luke was commending the authority of the Jewish-Christian tradition and, in so doing, reflecting the actual historical vitality of Jewish-Christianity at the end of the first century²⁴. To Jervell, Luke has described Paul as "the teacher of Israel"²⁵.

The work of Jervell has had important implications for the study of Luke-Acts as a corrective to the supposed anti-Jewish bias of Luke. To Jervell, Luke wanted to show that Paul was first and foremost a missionary to the Jews and hence, Luke's portrayal of Paul as a loyal

Jew suggests not only Luke's positive evaluation of Judaism but also hints at Paul's historical attitude towards his fellow Jews. Again, like those scholars mentioned above, Jervell places most of the weight of his argument on the portrayal of Paul as a loyal Jew at the expense of Luke's description of Paul as a citizen of Tarsus and Rome.

R. Maddox has argued that Luke's aim was neither apologetic nor conciliatory. Rather, to Maddox, Luke was writing at a time when Gentile-Christianity had separated from Jewish-Christianity. Therefore, Luke's characterization of Paul was intended to soothe an identity crisis within Gentile-Christianity²⁶. Maddox identified what he thought to be the two major stumbling blocks: 1) Christians were supposed to be the inheritors of Judaism yet Gentiles made up the majority of believers and 2) the Jews, for the most part, had rejected the new religion and put a solid front against it²⁷. To Maddox, Luke accented Paul's Jewish upbringing and his respect for Jewish ritual in order to indicate an essential continuity between the church of his day and the early Jerusalem church²⁸. Although the Tübingen school and Maddox would disagree on the ultimate purpose of Luke's characterization of Paul, they do concur that the portrait of Paul in Acts functions as a means of overcoming the vexing issue of Christianity's continuity with Judaism.

Even more recently, R.F. O'Toole, following the general direction of Jervell's argument, had advanced the position that Luke stressed Paul's Pharisaic background in order to show that Christians were the true Pharisees²⁹. D. Juel³⁰ and R. Brawley³¹, in contrast, have returned to and modified the earlier positions of Schneckenburger and Baur. Juel is confident that Luke sought to protect Paul from charges of heresy brought against him by Jewish-Christians, while Brawley re-emphasizes

Luke's conciliatory aim.

In contrast to all of the recent studies, which affirm a generally positive Lukan evaluation of the traditions of Judaism, stands the work of J.T. Sanders. He argues that Luke was seeking, for the most part, to disassociate Gentile-Christianity from Jewish-Christianity and to show the discontinuity between Christianity and Judaism. To Sanders, Luke claims that Gentile-Christians have replaced Jews as the chosen people³².

Sanders' work is stimulating. It self-consciously assumes an antagonistic position towards the consensus which believes that in some way or another Luke was sympathetic to a Jewish position. Furthermore, it is provocative, in that it seeks to deal with the responsibility for anti-Semitism in the church. Nevertheless, we believe that, in the end, he overstates his case. Sanders' whole purpose is to show that Luke was anti-Semitic, that he wrote a violent polemic against all things Jewish and sought to claim a Gentile-Christianity divorced from contemporary Judaism. As mentioned above, on this point he is restating the position which F. Overbeck advanced more than a century ago. To Sanders, Luke betrays a national anti-Judaism, emphasizes Jewish culpability for the death of Jesus and Stephen, continually reports Jewish harassment of the disciples and Jewish rejection of the Gospel. For Sanders, even though Paul claims his Jewish past, the Lukan Paul finally rejects the Jews. Yet, with this polemical intention duly registered, Sanders acknowledges that in Luke-Acts there are Pharisees who are regarded as at least sympathetic to Christianity³³. He concedes that the Pharisees maintain a middle position between the Jews and Christians. Furthermore, he cannot deny that there are various

references to Jewish mass conversion³⁴ and he fails to mention that the Jews of Beroea are called noble (Acts 17:11). The characterization of Paul is problematic for him because Paul is, time and again, shown to be a loyal Jew in word and deed. This is hardly the stuff of a violent polemic against all things Jewish. Sanders does contend that, for Luke, Christianity is the true Judaism and hence, must lay claim to a certain continuity with the Jewish tradition. But, Sanders would want to argue that in claiming this historical continuity Luke dismissed both contemporary Judaism and Jewish-Christianity³⁵. Therefore, it is apparent to us, that, in recognizing the essential continuity, Sanders lessens the force of his opening contention.

Hence, in summary of the above discussion, even though there is disagreement among scholars concerning Luke's purpose, it is agreed that Paul's Jewishness is emphasized by Luke in an attempt to explain and defend Christianity's relationship to Judaism to Christians. While we agree that Luke highlighted Paul's Jewish upbringing and his loyalty to the Law, even after his conversion, we believe that scholars do not pay enough attention to Luke's portrayal of Paul as a Roman citizen, to Paul the citizen of Tarsus, and to the Lukan sensitivity to the issues of social status and moral virtue. We believe that it is important to investigate Luke's portrayal of Paul as heir to Graeco-Roman ideals as well as to Jewish tradition. Furthermore, while we would affirm that Christianity's relationship to Judaism was problematic to the early Church, it was not solely an inner-Church problem. Luke primarily wanted to present Christianity to the outside world and only secondarily intended to explain away inner-community dilemmas.

G. Klein, in 1961, argued that Luke's description of Paul was an

attempt to subordinate the missionary to the Gentiles to the apostolic church in Jerusalem in order to rescue him from the Gnostics³⁶. Hence, one of Luke's purposes was to rehabilitate the memory of Paul for the Church. While the historical evidence seems to suggest that the traditions about Paul were not always positive and that Paul's theology was claimed by the Gnostics, it is difficult to find sufficient internal evidence in Acts to suggest that this was one of Luke's primary aims. Although the argument concerning the Gnostics has had support from C.K. Barrett³⁷ and C.H. Talbert³⁸ it has not found widespread support and we contend that these scholars have attempted to place Luke-Acts within an historical context that it does not fit. Yet, be that as it may, this concern to save Paul from the Gnostics for the Church is essentially in agreement with what we have called the consensus opinion that Luke-Acts was written within and for a Christian context. To return to Klein's work, he supposed that Luke wanted to emphasize Paul's orthodoxy and, in so doing, Luke subordinated Paul to the twelve apostles in Jerusalem. That Luke uses the title "Apostle" for Paul only twice (Acts 14:4,14) is claimed as evidence that, to Luke, Paul was not an apostle and hence, subordinated. Klein's work stirred German scholarship and, in the seventies, several important works were published concerned specifically with Luke's Paulusbild.

C. Burchard³⁹ and G. Löning⁴⁰, in response to Klein, convincingly showed that Paul's subordination was not a problem in this sense for Luke. Rather, to Burchard, Paul was the *dreizehnte Zeugniss* and Löning wrote that Paul was an undisputed authority (unangefochtene Autorität)⁴¹. Paul, although not one of the twelve, was the appointed emissary of God who would actualize the programmatic prophecy uttered in

Acts 1:8. Luke has Paul claim a strict Jewish background in order to show that he is as loyal to the Law as the Jerusalem church and hence was of a different, but equal, authority to the Jerusalem apostles.

Burchard's insistence that Luke was not simply subordinating Paul to the Jerusalem Christians is correct. Burchard saw that while Paul's message, as described by Luke, was not at odds with the church in Jerusalem, the importance of his description for Luke-Acts had a much more comprehensive purpose. The Lukan Paul, to Burchard, was the definitive representation of Christianity's movement beyond Jerusalem into the larger Graeco-Roman world. Hence, Burchard stressed both Paul's continuity with, yet autonomy from, the Jerusalem church and from Judaism. He is right as far as he goes and it is hardly fair to criticize Burchard for not commenting upon various points which would be directly relevant to our study of Luke's interest in portraying Paul as a man of high social status and moral virtue. Our reservations with Burchard's work, as we will show, concern his acceptance of the historicity of far too many of the biographical details presented by Luke and his conclusion that Luke wrote primarily, if not exclusively, for a Christian audience.

Von Volker Stolle, in his monograph entitled Der Zeuge als Angeklagter, believed that Luke described Paul as the definitive witness of Christ to the world⁴². Paul, despite his trials before the Jewish leaders and Roman magistrates, proclaims Christ. To Stolle, Luke's portrayal of Paul as both a defendant and a witness serves as a model to the Christians of Luke's church who are also suffering persecution. We agree with Stolle that for Luke, Paul was the definitive witness. Yet we believe that Stolle did not fully realize just what kind of witness

Luke was portraying Paul to be. While Stolle focuses upon the words of Paul, we would emphasize Luke's description of Paul as a man of social standing and moral authority which, in turn, would confirm the authority of Paul's verbal witness to the first readers/hearers of Luke-Acts.

Stolle's interest in the trials of Paul as the context for a proper understanding of the message of Paul is to be commended, for we too will seek to discern the significance of the court room scenes for Luke's larger purpose. However, Stolle does not investigate, in any detail, the historic legal issues included in the narrative. For example, while he recognizes that Luke's account of Paul's appeal to Caesar, in chapter 25, is important as the means by which Paul reaches Rome and so fulfills the promise of Acts 1:8, he does not seem to recognize the fact that one of Luke's purposes in presenting an account of Paul's trials was to emphasize Paul's status and influence. Furthermore, like Burchard, Stolle assumed that Luke's primary audience was Christians in the Church.

H.-J. Michel, in essential agreement with Burchard and Stolle, focused his attention upon Paul's farewell speech (Abschiedsrede) to the elders of Miletus in Acts 20:17-38⁴³. Michel concluded that the speech marks, "... das Abtreten der ersten Generation und das Eintreten der Kirche in die nachapostolische Zeit."⁴⁴ In other words, Paul is the bridge between the first and second generations of the Christian church and represents the continuity between the church of Luke's day and its Jewish roots. In his speech, Paul gives a warning to Luke's readers of "wolves" who will seek to destroy the community of faith. As with the scholars mentioned above, there is much in Michel's work that is beneficial. However, we believe that such a narrow focus excludes

important material which is necessary for a proper understanding of Luke's Paulusbild.

Burchard's conclusions best reflect the consensus opinion: "Lukas beschreibt Paulus nicht primär aus historischen oder biographischen Gründen, sondern um Gegenwartsfragen zu beantworten"⁴⁵. In other words, Luke's intention was primarily pastoral and Luke shaped his portrayal of Paul to emphasize his Jewishness in order to represent Christian continuity with Judaism. Furthermore, the ministry of Paul fulfils the promise of Acts 1:8. In the words of J. Roloff, "Lukas will seiner Gemeinde zeigen, wie dieser Auftrag durch das Wirken des Paulus zur Erfüllung gebracht worden ist"⁴⁶.

We must, at this point, again affirm that while we agree that Paul's Jewish background was of the utmost importance for Luke, we would contend that the scholars mentioned above do not take enough notice of Paul's claim to be a Roman citizen and no one seems to give sufficient attention to the fact that Luke also has Paul claim that he was a citizen of a Greek city. As we will argue in chapter 3, the biographical details given by Luke have been manipulated in order to present Paul as the representative of the highest ideals of the Graeco-Roman world. It is now necessary to press our case a bit further in dialogue with a recent study of P.S. Esler.

P.F. Esler's recently published work not only accepts the general consensus that Luke was writing with a pastoral intention for his community but, furthermore, uses the methods of the social sciences to support his claim⁴⁷. Esler sums up both his work and, to a large extent, the work of those who have gone before when he writes:

Luke's two volumes may be described as an exercise in the

legitimation of a sectarian movement, as a sophisticated attempt to explain and justify Christianity to the members of his community at a time when they were exposed to social and political pressures which were making their allegiance waver. Luke re-presents traditions relating how the gospel was initially proclaimed by Jesus and later preached throughout the Roman East in such a way as to erect a symbolic universe, a sacred canopy, beneath which the institutional order of his community is given meaning and justification.⁴⁸

To Esler, Luke's community is made up of both rich and poor, Jews and Gentiles, and some Romans who had been associated with the synagogue before becoming Christians. Esler believes that Luke seeks to give meaning to (to legitimate) this community by looking to the past and placing Christianity firmly in the soil of Judaism, to offer some advice about Christianity's relationship to Roman authority, and wants to explain the delay of the parousia. To Esler, each of the Lukan issues represents the concerns of a specific population within the Lukan community. For example, Luke's portrayal of Paul as a loyal Jew reflects a Jewish concern within the community to assert continuity with the Jewish traditions. Likewise, Luke's interest in describing the trials of Paul before the Roman authorities, and his intention to place the events of Christianity within secular Roman history, mirrors the concern of the Romans in the community who are faced with the dilemma of divided loyalties between God and Empire. In so stating these concerns, Esler shows himself to be in continuity with most scholars who detect a primarily pastoral intention directed to an inner-church context. Furthermore, Esler suggests that the closing words of Paul to the elders gathered in Miletus (Acts 20:28-32) are really meant as words of warning to the Lukan community. Esler writes: "It is impossible not to feel that Luke is writing for his Christian contemporaries, for whom this prophecy has become a harsh reality."⁴⁹

There is much in Esler's comprehensive work that is important and enlightening, not least of which is his sensitivity to the methods of sociology. Studies concerned with sect formation, legitimation, and the various prosopographical studies have done much to enlighten the understanding of the early church and how the early Christians saw themselves⁵⁰. In addition, Esler is correct to place the investigation of Luke's theological intention within the larger context of a social and political description of Luke's day. His question at the outset of his study is an important one:

What if social and political exigencies played a vital role in the formation of Luke's theology, rather than constituting the areas in which it was applied?⁵¹

We would certainly agree that an understanding of the social and political realities of any particular community is important for a proper description of one's theological outlook. We also commend Esler's critical review of redaction and form criticism which, as he says, do not possess adequate means of analysing questions of social context although both are related to finding the Sitz im Leben of the text. Esler sets out to do what he calls "socio-redaction criticism" of Luke-Acts and we would admit that much of our analysis of the text assumes the importance of sociological vocabulary and insight. Finally, we agree with Esler that, although important, the question of Jewish-Christianity and the larger issue of the relationship of the faith to Judaism is not the only subject that concerned Luke.

However, having acknowledged the importance of Esler's study, we believe his insistence that Luke-Acts must be understood solely as an attempt by Luke to legitimize his own community has kept Esler from understanding fully the significance of the portrayal of Paul in Acts.

In fact, Esler's work suggests that the characterization of Paul in Acts is of secondary importance. It appears as if Esler first assumed a Lukan community in need of legitimation and then read the text of Acts in light of this assumption. To Esler, Luke portrayed Paul as a good Jew so as to legitimate the Jews in the Lukan community. Likewise, Luke portrayed Paul as a good Roman in order to legitimate the Roman citizens in the Lukan community. Esler has failed to study this descriptive material in any great depth and to give full recognition to the fundamental role that Paul plays in the narrative of Acts. It seems as if the characterization of Paul is only important to Esler if it fits his argument. Our study, on the other hand, is focused on the primary position of Paul in the closing chapters of Acts which has led us to consider Luke-Acts as directed to a more general audience consisting primarily of non-Christians.

Although there is much to be said for the argument that the gospel writers were, first and foremost, conscious of their own communities and the assumption that the gospels were written in response to dilemmas within each particular community, it is certainly not the only legitimate point of view. One should not simply assume that the author always reflected the concerns of a specific community that he represented⁵². This caution is particularly germane to the study of Luke-Acts where the issues of the identity of the author, and the location and date of writing are notoriously difficult to discover. In fact, that Luke was writing to his own community seems to be brought into question by the fact that Luke-Acts is specifically addressed to an individual.

It is true that H.J. Cadbury⁵³, and many others since his day, have

shown that the dedicatory preface of Luke 1:1-4 was a formal literary device similar to other stylized dedications of the period. Moreover, it is correct to acknowledge that the person to whom a work was dedicated did not necessarily coincide with the larger audience to which the work was ultimately directed. However, having acknowledged the truth of the above evaluation, it would be misguided to ignore the preface altogether when seeking to understand Luke's audience and aim. That Luke considered it important to write a stylized preface counts against the arguments of scholars like R.F. O'Toole⁵⁴, D. Tiede⁵⁵ and R.J. Karris⁵⁶ who contend that Luke wrote to a community in dire need of pastoral attention. While individual passages in the gospel and in Acts suggest conflict, other individual passages do not. In our opinion, the mood of Luke's two volumes is one of optimism and confidence and the literary quality of Acts suggests leisure time to research, compile and publish. Why would an author take time to adhere to literary convention if his community was troubled? At most what can be argued, although we disagree with this conclusion for a number of reasons which will be discussed below, is that Luke wrote to a Christian community that was not his and hence, needed a patron in order to ensure publication and acceptance of his gospel. We will have more to say concerning the preface and, specifically, Theophilus below, for Luke has presented a number of important clues in the first four verses of his gospel that will help us to understand the importance of the portrayal of Paul.

Furthermore, we believe that in the search for the community behind the text, one loses the flow of the narrative as certain passages which suggest conflict are taken out of their immediate context and presumed to reflect the struggle of the Lukan community. For example, why should

we assume, as Esler does, that Paul's warning to the elders of Miletus in Acts 20:28-32 is, in fact, directed to Luke's own community warning them of outside threats? Michel has shown that the literary form of Paul's farewell speech compares favourably with other canonical and extra-canonical farewell discourses. One would naturally expect a farewell discourse at this point in the narrative where Luke ends his report of Paul's missionary journeys and turns to Paul's arrest, trials and final passage to Rome⁵⁷. In other words, Paul's farewell speech to the elders at Miletus need not be directed to the community of Luke's day. In response to Esler, we would contend that one cannot get behind the author of Luke-Acts to a specific community. However, although many difficulties arise, we do believe that it is a legitimate task to attempt to discern what Luke's aims were and what he thought about important issues of the day. We do not believe that one can go further than the author of Luke-Acts.

Given Esler's assumptions, it is not surprising that he dismisses what he believes is the only other alternative audience and purpose: an apology to pagan Roman authority. Although we will have more to say on this alternative below, with regard to Esler's criticism, we would agree that the traditional interpretation that Luke was writing an apologetic treatise to the Roman authorities on behalf of Paul and/or Christianity is not tenable. Yet, as we will attempt to show, writing an apology to the Roman authorities is not the only other alternative. Esler has opted too soon for the consensus conclusion of recent years.

Esler advances two main reasons against the possibility that Luke wrote to a non-Christian audience. We will take each one in turn and offer our criticisms. Esler contends that Luke, after his dedicatory

preface, plunges his readers into the atmosphere of Judaism with little explanation of details, includes many allusions to the Septuagint, and presents the teachings of Jesus with little elucidation. What Esler here advances is that an individual outside the Christian community would have had difficulty understanding Luke-Acts. Therefore Luke-Acts could not have been written for non-Christians. Haenchen, in his commentary, had also accepted this notion yet refined it and wrote; "...Acts was incomprehensible to an educated Gentile, if he was not familiar with the synagogues or the Christian church."⁵⁹ Maddox too accepted this view⁵⁹. Esler, to support his contention, includes a quotation of A.D. Nock who wrote "There is no indication of substantial knowledge of the LXX except as heard by those who frequented synagogues...as a book it was bulky, expensive and inaccessible"⁶⁰. We will assume that Professor Nock is correct. However, we have several problems with Nock's, Haenchen's, Maddox's and Esler's confidence.

While it is true that Luke's two volumes are a collection of various styles and depend a great deal on Jewish literature, the assumption that only Lukan Christians could have understood Luke-Acts is not fully warranted. Firstly, based on contemporary experience, do Christians today, when they seek to evangelize assume a knowledge of the LXX of their hearers? Do they require an understanding of christological terms and parabolic forms? Luke was not writing for a seminary audience but rather for a larger general readership who either would have had some background or who would hardly have cared about specific septuagintal allusions. Luke-Acts is, whatever else, a good story. It tells a tale of the miraculous birth of Jesus which was foretold by John the Baptist. Luke, in his gospel, narrates the life, teaching, passion, death and

resurrection of the charismatic leader and miracle worker. Acts describes the growth of the Jesus movement as it spread unabated from Jerusalem to Rome. Furthermore, Luke, in Acts, emphasizes the character of Paul giving him all the attributes of the ideal Graeco-Roman man who could even perform miracles. This story line would have been understood by most readers of the first century who might also have read the curious tales of foreign places reported by Herodotus and Plutarch. Furthermore, the readers/hearers would have recognized the charismatic figures of Jesus and Paul in light of other tales about religious figures and great men.

Secondly, the assumption that Luke wrote to ameliorate the anxiety of his Christian community which faced existential crises, challenged belief and potential disillusion, seems to reflect a modern concern to stress the relevance of faith to a skeptical Judeo-Christian world. The mood of Luke's two volumes is one of optimism and growth, not despair and entrenchment.

Thirdly, while Luke does indeed rely on the Septuagint, it is also true that he assumes Graeco-Roman literary and rhetorical style as well. Luke, at least, seems to reflect a basic training in Graeco-Roman rhetoric as taught in the schools of the day⁶¹. Who finally is to say what a reader of the first century would or would not have understood?

Fourthly, perhaps Luke's stress on Paul's Jewish upbringing suggests his intention of informing the Graeco-Roman reader about Christianity's development from Judaism. If Esler is correct in assuming that Luke was writing to his community which would have naturally understood the various allusions to Jewish belief and observance, would Luke need to explain that Sadducees and Pharisees differed on the view of

resurrection of the dead (Acts 23:8)? Luke does not dismiss Paul's Jewish background yet, it should be noted, that Luke presents Paul's biographical data in the context of Roman legal hearings. The point of these four comments is to suggest that one should not limit an audience merely by identifying a certain literary style.

Fifthly, Esler assumes, along with the many scholars who have been mentioned above, that the "existential dilemmas" would only have been meaningful for a Christian community facing such problems. While this view is plausible, it is not ultimately satisfactory. Another viable conclusion is that those individuals outside the community might have more reason to wonder at the validity of a religious sect which claimed to be continuous with Judaism yet was rejected by the Mother religion, and which preached that the Kingdom of God was at hand though its Messiah had not come as promised. Would a sect that could not explain these discrepancies be credible to a listening or reading audience? It seems to us as if the questions raised by non-Christians about Christianity would be, more or less, the same as those raised by Christians⁶². Who is to say that pagans would not have found Luke's work interesting and his message inviting? In fact, we will press our contention and argue that the answers to these dilemmas might be of more importance to the outsider than to the insider who, since they have believed already, are more inclined to hold on through times of disappointment.

Finally, it is important to reiterate that Esler has really very little to say about the characterization of Paul. His interpretation of the importance of Paul for Luke is reflected in Esler's summary. He writes, "If anything could be said to characterize the Lucan portrait of

Paul, it is the apostle's total and uninterrupted fidelity to the Jewish law."⁶³ While we would agree that the Paul of Acts shows his fidelity to Jewish law, his portrayal as a Greek and a Roman hold equal significance. We believe that understanding the main purpose of Acts in terms of the legitimation of a specific Lukan community fails to do justice to the importance of Luke's characterization of Paul in Acts for a wider audience.

Now that we have reviewed how Luke's characterization of Paul functions for those who believe that Luke was writing to his own Christian community, other alternatives must be entertained.

Paul and the Political Apology

Besides Luke's apparent interest in Judaism and early Christianity's relationship to it, it has also been observed, by every astute commentator, that Luke placed his gospel events within secular Roman history. For example, Luke sets the birth of Jesus (Lk.2:1-7) and the beginning of the ministry of John the Baptist (3:1-3) within the larger scope of Roman antiquity. Hence, on a synchronic level, Luke, unlike the other evangelists, recognizes and tacitly affirms the hegemony of the Roman empire. Furthermore, it is commonly noted that Luke seems to have a favourable attitude towards individual Roman soldiers, magistrates and other officials. For example, the centurion at Capernaum (Lk.7:1-10) recognizes the authority of Jesus and is praised for his faith. The centurion at the foot of the cross "praised God" and declared "ὅντως ὁ ἄνθρωπος οὗτος δίκαιος ἦν" (23:47 cf. Mk.15:39). In Acts, Cornelius the centurion is described as a "devout man who feared God" (Acts 10:1). It is generally agreed that the story of the

conversion of Cornelius holds a prominent symbolic position in the movement of the Gospel from Jerusalem to the Gentiles. Sergius Paulus, the proconsul, (Acts 13:6-12) is converted by Paul and Barnabas. Moreover, Luke, in three places, affirms Paul's Roman citizenship (16:37-40; 22:24-9; 25:10-12). In addition, it is argued that Luke, by emphasizing the guilt of the Jewish leaders, lessens Roman responsibility for the crucifixion of Jesus. Likewise, Paul is declared innocent by Felix (Acts 24:1-23), Festus (25:7-12) and Agrippa (26:1-32). Most commentators are, in general, agreed that Luke's portrayal of Roman officials is positive and that the laws of Rome are just and fair.

Such evidence has led some scholars to assume that Luke was writing not to a specific Christian community but was composing a political apology for Paul, and by extension, Christianity, either to a specific Roman magistrate, or at least to an audience consisting of Romans⁶⁴. In so doing, Luke sought toleration and protection from Rome by showing that Christianity was the legitimate offspring of Judaism and was not a political threat to Roman order.

In the light of C.K. Barrett's well known comment against the strictly apologetic aim of Acts⁶⁵, few, if any, scholars today would contend that Luke's main audience consisted of Roman officials or that Luke's chief purpose in writing Luke-Acts was to achieve a formal protective status for Christianity as a *religio licita*. In fact, with one or two notable exceptions, even few scholars from the past would have argued such a position. For example, while F. Overbeck acknowledged Luke's aim to avert political suspicion, he considered that Luke's political concern was a correlative intention to his main purpose which was to articulate Christianity's position vis-à-vis Judaism to

non-Christian Gentiles⁶⁶. However, the political apologetic motif as a secondary concern continues to convince most present day scholars. E. Haenchen⁶⁷, F.F. Bruce⁶⁸, and J. Fitzmyer⁶⁹, to give but three distinguished examples, all continue to hold that Luke both highlighted Roman fairness and justice and endorsed Christianity's Jewish roots in order to bring Christianity under the privileges which Judaism enjoyed.

This perceived double tendency in Acts has implications for one's understanding of the Lukan Paulusbild. It is often argued that Luke made special note of Paul's Roman citizenship in order to show that Christians were law-abiding and that their religious convictions did not compromise their loyalty to the Empire. Moreover, that Paul made use of his alleged Roman legal privileges indicates that Christians could look to Rome for protection. Furthermore, Luke exaggerated Paul's Jewish background with the intention of showing Roman readers that Christianity was an offspring of an established and traditional religion.

There is much in this thesis that is attractive. Furthermore, that so many prominent scholars have been convinced by it is not without influence. However, we would take issue with Haenchen's contention that Luke consistently presented all Roman authority in a positive manner. While it cannot be denied that individual Romans of varying degrees of rank and status convert to Christianity and that Roman soldiers and officials protect Paul from the mobs, the description of Roman officials is hardly uniform. Although Paul is declared innocent he is continually held as prisoner, sometimes even in chains. Paul is beaten by the Roman magistrates at Philippi (16:22), Gallio, the proconsul of Achaia, ignores a lynching (18:17), Felix seeks a bribe (24:26) and appeases the angry Jews instead of seeking justice (24:27). Even Festus, like Herod

and Pilate who acknowledge the innocence of Jesus but fail to release him, seeks to avoid responsibility for the release of an innocent Paul. From our reading of the text the most that can be claimed is that individual Romans who are drawn to the truth of the gospel are described favourably, as one would expect. However, it is wrong to press too far the notion that every Roman official is held up as virtuous. We will have cause to return to the issue of the portrayal of Roman authority in the concluding chapters in Acts throughout the dissertation.

We hesitate in accepting, in full, not only the opinion that Luke consistently portrayed Roman officials in a positive manner, but we also believe that such an understanding obscures Luke's more important interest in the description of Paul and fails to do justice to Luke's overall aim. Our attention will be focused upon the Lukan portrayal of Roman authority in more detail in chapters 4, 5, and 6 of this dissertation. However, at this juncture, it is sufficient to indicate that of the utmost significance is not how Paul defers to Rome for protection and justice, but how, in Acts, Paul shows himself to be in control. Roman officials, by contrast, either mishandle situations (16:22; 22:26), fail to act decisively (25:9), or refuse to take heed of Paul's good advice (27:11). According to Luke, Paul's sermon to Felix indicates that this governor lacks self-control (a cardinal virtue) and is not just (24:25). Festus even seeks Paul's advice concerning where the trial should be held (25:9). In short, Roman officials are not the great protectors of the faith. Rather, the various Roman soldiers, magistrates and governors serve only as foils to Luke's hero, Paul. The action of the last eight chapters centres around Paul, not Roman beneficence. We believe that when Roman officials recognize Paul's

authority and defer to him, more is said about Paul's status than about Roman justice, fairness and protection.

Not enough scholars have looked with sufficient care into the details of this portrayal of the Lukan Paul as a Roman, nor have they properly understood the significance of Paul's so called "appeal" for the narrative as a whole. In our fifth and sixth chapters we will study the legal issues of Acts and attempt to show that the entire account serves to highlight Paul's status, virtue and influence.

Some general comments, which will help to summarize the above section, are in order. It is true that Luke makes mention of Paul's Roman citizenship. Furthermore, it is often noted that Luke acknowledges the political dominance of the Romans. In addition, much of the narrative of the last eight chapters takes place in Roman courts or under Roman supervision. Finally, the ultimate destination of Paul in Acts is Rome and the conclusion of the two volumes occurs in the capital. Yet, far from having a primary apologetic intent, Luke, according to our reading of the text, wishes to show that Christians belong in the capital of the Empire. To Luke, Christians do not need to be awed by Rome for neither secular nor religious power can impede the Gospel (5:39). While we do not believe that Luke directed his two-volume work to a specific Roman authority nor think that Luke was trying to present a case that Christianity should be recognized as a *religio licita*, we do assume a non-Christian readership for Luke-Acts. Luke was presenting Christianity to individuals outside his own community or to the church in general. By holding up Paul as the example, Luke wanted his readership to understand the faith and be drawn to it. We shall return to this issue in chapter 4.

That Luke has favourably portrayed Roman authority in Acts has influenced even those scholars who would press for a conciliatory aim for Acts. In the last five years, R. Maddox⁷⁰, P.W. Walaskay⁷¹ and P. Esler⁷² have sought to advance a variation on the traditional interpretation that Luke intended to describe Romans as gracious benefactors and protectors of Christianity. Since they believe that Luke-Acts was written to a Christian audience, they must explain Luke's alleged positive evaluation of Rome and Romans in terms of the community. Maddox's and Walaskay's views are similar. Both scholars contend that Luke wrote Acts in order to encourage his Christian contemporaries, in light of the delay of the parousia, to take the best possible view of the Roman regime. Walaskay goes so far as to suggest that Luke wrote an *apologia pro imperio* for his community.

Like Esler, Walaskay believed that Luke's perceived positive portrayal of Roman authority was part of a larger Lukan intention which was addressed to a community suffering an identity crisis. He assumed that the Lukan community was pressed by two dilemmas. These dilemmas were: 1) why Jesus had not returned, and 2) what had been the purpose of the destruction of Jerusalem? Walaskay writes that the Lukan community was a "struggling infant left to work out its new social relationships with the wider culture without the benefits granted Judaism"⁷³.

Walaskay contended that there were anti-Roman sentiments in the church and a grave danger of apocalyptic excess. Hence, Luke needed to write to his community in order to show that Roman authority was recognized and approved by God and that Rome could be relied upon to uphold justice and to protect the church. Luke also wished to confront his community with the fact that Christianity had to accept the secular Graeco-Roman

world and become part of it. We would question Walaskay's interpretation on several counts. We disagree, as mentioned above, with the assertion that Luke was a pastor seeking to assuage his community's eschatological disappointment. Furthermore, Walaskay is hard pressed to provide convincing evidence that Luke's community was on the verge of apocalyptic excess; there is little in the text to suggest that this was the case. Although we would not go as far as R.J. Cassidy, who believed that Luke revealed anti-Roman tendencies⁷⁴, we do not consider Luke's portrayal of Roman authority to be as overwhelmingly positive as Walaskay would have us believe.

Although Esler is critical of some^{of} Walaskay's conclusions, he is in general agreement concerning the Lukan audience and the Lukan purpose. Esler contends that Luke's regard for individual Romans and Roman authority was an attempt at political legitimation for those Romans in the Lukan community who were anxious about potential compromises that might have to be made due to their competing allegiance to God and to Rome. To Esler, Luke stressed that individual Romans were accepted by the church and freed from anxiety over potential compromise. For Esler, Paul's alleged Roman citizenship was of particular consequence for Luke, as a means of positive identification. Esler even goes so far as to suggest that Luke might have fictionalized Paul's Roman citizenship so that the Roman citizens in the Lukan community could identify more closely with the great missionary⁷⁵.

Despite our difficulty with Esler's insistence that Luke-Acts could only have been written for a community in crisis, we agree that Luke wanted to impress upon individuals that Roman citizenship did not hinder or conflict with Christian identity and responsibility. Likewise, we

are persuaded by Esler's discussion that Luke wished to underline the fundamental continuity between the new faith and Judaism in order to remain attractive to Romans who might have been drawn to the ancient ancestral traditions of Judaism. Furthermore, we endorse Esler's opinion that Luke's audience included Romans, Jews and Greeks. Yet, having acknowledged our agreement with him on several general points, we shall go on in our dissertation to show that neither Esler, nor any of the other scholars mentioned above, has fully grasped the specifics of Luke's eagerness in illuminating Paul's Roman citizenship. According to Luke, Paul is no ordinary, rank-and-file Roman citizen. His status credentials are as impressive, and in some cases even more impressive, than those Romans whom he stands before. Luke is more interested in highlighting Paul's social status and moral character than he is in portraying Roman authority as the protector of Christianity.

Having thus stated our disagreement with the consensus opinions that Acts was written primarily for a Christian community and that Roman officials are purposefully portrayed as just and protective, we would like to consider another potential audience and aim for Acts.

Paul and the Hellenistic Audience

That there is a close proximity between an apologetic and evangelistic purpose is recognized. Certainly Josephus and the early apologists sought not only to defend their faith but also to advance it⁷⁶. We have separated the evangelistic intent from the apologetic in order to organize our comments, although we affirm that both interpretations depend upon the understanding of the Lukan audience as outside the church. However, we would make one important distinction

between the two regarding Acts. While there are apologetic sections in the last eight chapters of Acts, it can be argued that Luke's intention was not a defensive but rather an aggressively evangelistic position.

That Luke's audience was a general reading public has been supported by a number of influential scholars. We have already mentioned that F. Overbeck and J. Weiss believed that Luke's primary purpose was to defend Christianity from the accusations of the Jews before a Hellenistic audience.⁷⁷ Cadbury believed that Luke wrote to persuade both Greeks and Romans who were hostile to the faith and suspicious of its political and social implications⁷⁷. More recently F.F. Bruce advanced the position that Luke's audience was "an intelligent reading public, or rather listening public at Rome" and that Luke's main purpose in writing was for evangelism⁷⁸. He noted the favourable characterization of Roman authority and assumed that this served the purpose of showing the readers that Christianity was a peaceful sect, supportive of the Empire which was, in turn, acknowledged and protected by Rome. We are sympathetic to the insights of these scholars. However, we would disagree with Weiss that Luke was defending the Church from the Jews. Unlike Cadbury, we would not agree that Luke's audience consisted mainly of those who were overtly antagonistic to the gospel. We come closest to Bruce's conclusions although we would not limit Luke's audience to Romans in Rome. J.C. O'Neill has also stressed Luke's apologetic/evangelistic purpose and believed that Luke intended to convert people of high social standing⁷⁹. He writes;

[Luke's] aim was to convert his readers to Christianity, not to defend one party of the Church... Luke was looking forward to the time when Christianity would become the religion of the Empire, and he wanted the church to prepare itself for the role⁸⁰.

One must be careful in assuming that Luke actually foresaw the conversion of Constantine and the eventual promotion of Christianity as the imperial religion. However, O'Neill's contention that Luke was an optimistic and forward looking author who could imagine the faith in terms of an imperial design is not unreasonable. Unfortunately this insight is often forgotten in the light of O'Neill's even more controversial claim that Luke-Acts was written in the middle of the second century.

More recently still, E. Franklin has recognized an evangelistic intention in Luke-Acts. Yet Franklin believes that Luke's aim was directed not to bring outsiders into the faith but to re-establish "that faith in the lordship of Jesus which his readers had once shared, but which was now in danger of being lost because of the problems that such a belief faced"⁸¹.

However, despite these exceptions, the consensus opinion is firmly agreed that Luke did not have a missionary intent. For example Burchard, although he believes that the Paul of Acts is the "Prediger für alle Völker"⁸² and shows quite convincingly that Luke used Hellenistic literary motifs in his work, declares: "Die Apostelgeschichte ist nicht geschrieben, um zu bekehren"⁸³. Rather, Luke wrote an historical monograph to show Christians just how quickly the church was spreading. Burchard is correct that Luke-Acts confidently asserts that the spirit filled church and its apostles are unstoppable. Yet, he fails to consider that this message would be just as inspiring to those outside the church as inside. Maddox, likewise, quickly dismisses evangelism as a possible purpose for Luke-Acts within the first chapter of his book which is devoted to uncovering the purpose

of Luke-Acts⁹⁴. The reasons for rejecting an evangelistic or apologetic intention for Luke-Acts have been discussed above and hence we will not repeat the arguments again. We will hold fast to our criticism of the consensus which excludes evangelism as a primary purpose for Luke-Acts.

That evangelism should be so quickly dismissed is surprising considering that so much of Luke-Acts seems to reflect classical Hellenistic literature and its forms and style. E. Plümacher describes the author of Luke-Acts as a "hellenistischer Schriftsteller". Plümacher, in his work, analyses the prologues, the speeches and the episodic style of the narrative and uncovers numerous Hellenistic literary devices. To Plümacher, Luke was concerned with the position of Christianity in the Hellenistic Roman world, and Acts 26:26 (οὐ γάρ ἐστιν ἐν γωνίᾳ πεπραγμένον τοῦτο) is important for him: "Dieser Satz formuliert das Programm..."⁹⁵. Plümacher goes so far as to suggest that Luke portrayed Paul in terms of Socrates⁹⁶. However, like Conzelmann before him, Plümacher believed that Luke with Acts marked an important historic shift in the development of the early church from a sect waiting for the return of the Lord to a church realizing its place in the world. Plümacher's insights have been valuable for our work but we believe that he does not go into sufficient detail about the characterization of Paul and his importance as a clue to the function of the work as a whole. Haenchen insisted upon Luke as artistic writer as well as being a theologian, yet agreed that Luke's primary purpose was edification for the church and not evangelism⁹⁷. Against Haenchen we would contend that edification does not exclude evangelism.

There has been a growing number of scholars who have sought to understand the portrayal of Paul in Acts in light of various Graeco-

Roman literary types of heroes. Both Conzelmann and Haenchen suggested that Luke included stories of Paul performing miracles, having visions, receiving oracles from God and being saved from danger in order to portray him as a θεῖος ἄνθρωπος⁸⁸. That Luke might have had a source which portrayed Paul in this way is not unlikely; however, there is much more to Luke's presentation of Paul than as a miracle worker.

G. Miles, G. Trompf and D. Ladouceur have all argued that Luke's Graeco-Roman audience would have recognized the story of Paul's shipwreck experience in Acts 27 as a typical Greek romance with Paul as the type of "captive hero"⁸⁹. As in the case of Paul as the divine man, we cannot deny that Luke might have had a source, or shaped the narrative of chapter 27 in such a way as to present Paul in such a manner. Yet, the account of Paul's trials upon the high seas comprises only a part of the final eight chapters of Acts.

F.W. Danker, who studied the semantic range of the title Benefactor and the noun benefactions, has called Paul "an endangered Benefactor" who performed laudable actions in face of perilous circumstances and is pious, upright and philanthropic⁹⁰. Danker is correct as far as he goes. Danker's sensitivity to the semantic range of first century words has influenced our own interest in the semantic range of Luke's vocabulary. While Danker's work is important and, in some cases, overlaps with our work, we believe that by placing such emphasis on the concept of benefactor he does not notice other words, concepts and rhetorical techniques having to do with other aspects of social status and moral virtue in Acts. While Danker begins to study the characterization of Paul, he does not fully recognize the importance of the status claims Paul makes in Acts. Therefore, Danker does not, in

our mind, offer a full portrayal.

D. Tiede has traced two distinct traditions in Acts which legitimate Paul as a wise man and a miracle worker⁹¹. While Tiede suggests that these two traditions are usually mutually exclusive, in that the wise man usually rejects the miraculous, Tiede believes that Luke combined both these traditions in order to legitimize Paul⁹² for his community. More recently still, R.L. Brawley has suggested that Luke used any number of ways to legitimate Paul as a strict and complete Jew from "Jewish detractors and sympathetic heretics alike"⁹³.

We agree with all of these scholars that Luke sought to legitimate Paul. Moreover, we concur with them that Luke was comfortable with the various Graeco-Roman heroic types of the classical age. Each of them has identified individual literary motifs and their influence on certain parts of Acts. However, none of them does justice to the overall portrayal of Paul in Acts. None of these scholars offer adequate comment upon Paul's status claims, nor do they provide analysis of the legal scenes in Acts. The problem is that while each is enlightening, none is comprehensive. We, in contrast, seek to illuminate an overall Lukan concern with Paul's social status and moral virtue that does not contradict, but rather accommodates, the noted scholars' interests.

While these insights reveal the fact that Luke affects, in places, the style of Graeco-Roman literature, this alone does not necessarily mean that Luke wrote to a Graeco-Roman, non-Christian audience. However, that he affects such varied stylized techniques does seem to suggest that Luke wanted his work to be accepted by a larger audience than his own or another Christian community. We would contend that an author writing solely to a struggling community in search of answers

would hardly come out with a work like Luke-Acts.

The evangelistic and apologetic intentions of Luke-Acts have been ignored primarily because of the present day insistence on reading the New Testament in terms of socio-psychological concepts which search for a specific community. We have stated above that the unique prologue of Luke-Acts dedicated to Theophilus counts against the assumption that Luke was writing to his own community, and furthermore counts against the present day consensus that Luke was writing chiefly to a Christian community facing a crisis of faith. We will now advance this contention in greater detail.

Luke 1:1-4

Beginnings and endings of works are important. They enclose the narrative and shape its overall context. Therefore, we believe that a proper understanding of the prologue of Luke-Acts will help us to understand the importance of the last eight chapters of Acts where the reader is left with the final comprehensive portrait of Paul and of the Christian faith.

Esler contends that there is no inconsistency between his investigation which has been discussed in detail above, and "Luke's own broad statement of his purpose in Lk.1:1-4"⁹⁴. Yet Esler's interest in the prologue only concerns the term 'ασφάλεια, which he translates as "assurance" or "reassurance". While his translation is not incorrect, and his suggestion that the term reflects Luke's aim of legitimating a community in need is attractive, his discussion is far too limited. Although Esler's attempt to show that the Lukan community needed to be reassured is not without merit, he fails to deal adequately with the

figure of Theophilus. We believe that a better understanding of the role of Theophilus in Luke's prologue is crucially important for giving the present day reader a clue as to how the first reader/hearer was intended to receive Luke-Acts and therefore to understand the Lukan Paul. The following short excursus will help us to describe other alternatives to the question of the Lukan audience.

All worthy commentaries present the necessary discussion of the issues of the preface. The preface of Luke's gospel is unique among the works of the New Testament, reflects the highest quality of written Greek, and, to H.J. Cadbury, "assures us that from the start Luke-Acts was aimed for general circulation."⁹⁵ Unfortunately, Cadbury's wisdom has not always been heeded. Although the numerous important issues related to the study of the preface of Luke-Acts have continued to interest scholars⁹⁶, the two issues most decisive for our preliminary investigation into the audience of Acts must revolve around the identification of Theophilus and the possible meaning of the ambiguous term *κατηχόμενος*.

Various identifications of Theophilus and different nuances of *κατηχόμενος* are advanced to support the overall understanding of Luke's aim and audience. We will first review some of the alternative identifications of Theophilus and then note the two main nuances of *κατηχόμενος*.

To those who suppose that Luke was writing an apology intended for Roman authority, Theophilus becomes a Roman of high rank who is addressed with the title *κράτιστε*. It is interesting to note that this honorary epithet occurs three other times in Acts and is associated with the Roman governors Felix (23:26; 24:3) and Festus (26:25). Since a

Roman official of high rank with the Greek name Theophilus is unknown and, in any case unlikely (one would expect a Roman name). B.H. Streeter contended that Theophilus was a pseudonym and believed that Luke was writing to T. Flavius Clemens⁹⁷, a Roman aristocrat with Christian connections who was very close to the Emperor. Streeter's speculation has not won adherents. Equally speculative is the recent conclusion of W.G. Marx who believes that Theophilus was, in fact, Agrippa II⁹⁸. H.J. Cadbury's critical comments were justified: "That Theophilus was a Roman of rank is unfortunately not proved by his name or his title."⁹⁹ More recently J. Fitzmyer agreed that the name and title tells nothing about Theophilus as a specific individual¹⁰⁰. Although we agree that it cannot be shown that Luke was writing an apology to a specific Roman of high rank the title "χρῆτιστος" is worthy of further examination and will be discussed below.

The relationship of the author to the individual whose name appears in the dedication and, in turn, his relationship to the reading public, varied. The author and addressee could have been personal friends or the one to whom the work is dedicated might have inspired the work. Theophilus might have been Luke's patron or Luke could have added the name to lend prestige to the writing. I.H. Marshall, who assumes that Luke was writing primarily to a church community, believed that Theophilus was a patron and he adds:

Theophilus may or may not have been typical of the reading public for whom the work was intended. For, strange as it may seem to us, what the address really shows is that the work was intended not for an individual, but for a public..."¹⁰¹

More often than not the relationship of the author to the addressee had little effect on the contents of the work. Esler makes mention of this

and therefore dismisses Theophilus and the preface to a secondary role¹⁰².

As long ago as Origen, it was believed that Theophilus was not an individual at all but a name intended to serve for every "lover of God". In this century Cadbury dismissed Origen's suggestion by asserting that the early church fathers, who commonly employed allegorical word play on names, might have found in the name an "...irresistible temptation to draw a moral instead of acknowledging their ignorance about the identity of Theophilus"¹⁰³. Fitzmyer¹⁰⁴ has dismissed such a symbolic rendering of the name but H.C. Kee retains the symbolic import without supporting evidence¹⁰⁵. The evidence against a symbolic rendering is convincing for two main reasons. Firstly, there are, as far as we can discern, no examples of a dedicatory preface written to an imaginary or symbolic dedicatee. Secondly, Theophilus is a well attested name in the first century¹⁰⁶.

In short, Theophilus' identity is still a mystery and, given the evidence we possess, Theophilus will remain unknowable¹⁰⁷. What is agreed is that Luke's audience, which may or may not have included an actual Theophilus, was not limited to him.

Yet the question remains: why did Luke write to Theophilus? We will not attempt a full answer to that question at this point for our entire dissertation is, in part, concerned with the purpose behind a major element in the Lukan narrative. What is important for this introductory discussion is to present the two alternative nuances of the phrase ἵνα ἐπιγνῶς περὶ ὧν κατηχήθης λόγων τὴν ἀσφάλειαν and to show how they relate to the larger question of Lukan intention.

When the Lukan writing is treated as a defence for Christianity,

directed either to Roman authority or to some other larger audience, this phrase is understood to mean: "that you may gather the correctness, as regards to the account, that you have been given to understand"¹⁰⁸. Cadbury's rather cumbersome rendering of the preface reflects the difficulty of an unambiguous translation. Another, less clumsy, translation which renders the phrase in the same way is: "in order that you may know the reliability of the stories which have been reported to you"¹⁰⁹. These two representative translations imply that Luke needed either to stress the accuracy of the accounts which had been received or to correct misinformation¹¹⁰. The verb κατηχεῖν is translated "to report", "to tell", "to inform" (Acts 21:21,24).

However, for those who consider that Luke's audience consisted primarily of Christians, κατηχήθης is translated as "were instructed" or "were taught". Fitzmyer has recently rendered the phrase: "so that you may realize the assurance of the matters (or, the teachings) about which you have been instructed"¹¹¹. He asserts that the best interpretation is that Luke was writing to Theophilus who, along with others, was a catechumen or neophyte, "in order to give him assurance about the initial instruction that he has received."¹¹² Fitzmyer's translation is representative of the majority of scholars who contend that Luke was writing to either affirm or re-affirm the faith of a Christian community.

The issue is complicated and cannot be solved merely by translation for either alternative can be used to support a perceived Lukan intention. As D. Juel concedes:

Is Theophilus an official who has heard about Jesus and his followers, or is he a believer who has 'been instructed' in the faith? Both interpretations are possible. One reading might suggest that Luke-Acts is intended as political apologetic

or perhaps as missionary literature; another might suggest it was written primarily for believers¹¹³.

Although the identification of Theophilus remains problematic we believe that Luke gives a clue to his larger interest.

The title *κράτιστος* is a common Greek term equivalent to the Latin *egregius*. The term was used as a title for a member of the *ordo equester*. *Κράτιστος* is also attested from the first century as the equivalent of the Latin *optimus*, an honorary appellation for any official of rank. Fitzmyer concludes, "At most it would imply that Theophilus was socially respected and probably well off, or highly placed in the society to which Luke had access."¹¹⁴ R. Horsley, who has edited a helpful compilation of epigraphical and papyrological evidence, agrees that *κράτιστε* "implies some social standing"¹¹⁵. Whether or not Theophilus was an actual individual, Luke makes his intention plain: he has written Luke-Acts with issues of social status in mind. This fact must be kept in the forefront of a discussion of Luke-Acts. We believe that Luke intended his readers to see, at the outset, that Christianity could be directed to those of status and authority. Just as Luke opens his work with a proper dedication noting the status of his dedicatee, so too does Luke end his work emphasizing the social status and moral virtue of Paul. The entire two volumes of Luke are bracketed by this concern with social status.

M. Dibelius' insights are well worth remembering and shall be quoted in full:

Luke wrote two books. He composed them for a reading public which was not the public of Mark and Matthew. When an author writes a dedication like Luke 1:1-4 - a dedication whose style and choice of words are closely akin to the opening of many literary, secular writings - he has in mind readers who will understand and appreciate such a prologue. Few, if any, of

the rank and file of the early Christians belonged to this class of readers. We may think of a few individual cultured Christians - like Theophilus, if he actually was a Christian - but chiefly we must think of interested, sympathizing pagans who were not yet baptised and finally of 'pure' pagans who, it was hoped, might be won by such literary propaganda. Luke's work is the only New Testament book written with such readers in mind.¹¹⁶

Too few scholars since Dibelius' day have appropriated the wisdom of his remarks.

Yet, we would wish to refine Dibelius' comment. That Luke's primary goal was to reach only those individuals of social status is doubtful considering Luke's well known concern for the poor in the first volume of Luke-Acts. We will have more to say concerning Luke's mixed audience below. Furthermore, while the preface is an example of good Greek, Luke's style is not uniform throughout the rest of the work¹¹⁷. One can only doubt that a Livy or a Seneca would receive Luke-Acts with favour. However, that Luke wanted to give the impression that his writing was worthy of such an audience is likely and is of great importance to our understanding of the purpose of his characterization of Paul. Luke wanted to conclude his work with a worthy portrayal of Paul which would correspond to the opening preface dedicated to a Theophilus who was of like status.

The Evangelistic Purpose of Acts

With the lengthy discussion of Lukan purpose and supposed audience completed, it is time to summarize and state our case once again in order to set our agenda with greater clarity. We affirm, with the consensus opinion, that Luke stressed certain characteristics of Paul for a particular purpose. We agree that Luke was concerned to show Paul as a law abiding Jew and a loyal Roman citizen. We will even affirm

with Esler that Luke's larger purpose was legitimation. However, we disagree with the consensus that Luke's purpose and his portrayal of Paul served only to re-affirm and legitimate the faith of a Lukan community in crisis. There is nothing in the consensus opinion as described that makes an evangelistic intent impossible. Indeed, Luke's portrayal of Paul in Acts, as a man of high social status and moral virtue who combined the best of Roman, Greek and Jew, suggests just the opposite.

A formal and more helpful way to approach Luke-Acts is put forward by E. Schüssler-Fiorenza who rightly detects that the New Testament writings are usually seen as products of an inner-church doctrinal struggles understood within what she calls a "congregational-confessional framework"¹¹⁹. Schüssler-Fiorenza, who offers a stimulating and challenging essay, believes that not enough attention has been paid to what she calls the "public-societal dimension of Christian literature". Schüssler-Fiorenza understands the early Christian movement and its literature as rooted in the attempt to attract and convince persons of the Hellenistic world, be they already Christian, Jew or Pagan.

If one thing can be agreed on by all, it is that early Christianity spread quickly through the Mediterranean world of the first century. To attract new converts the gospel had to adapt. Luke himself acknowledges this larger world view when he has Paul state with confidence that "these things did not happen in a corner" (Acts 26:26). Luke himself reveals the individuals who have already come to the gospel and those to whom Luke directs his writing.

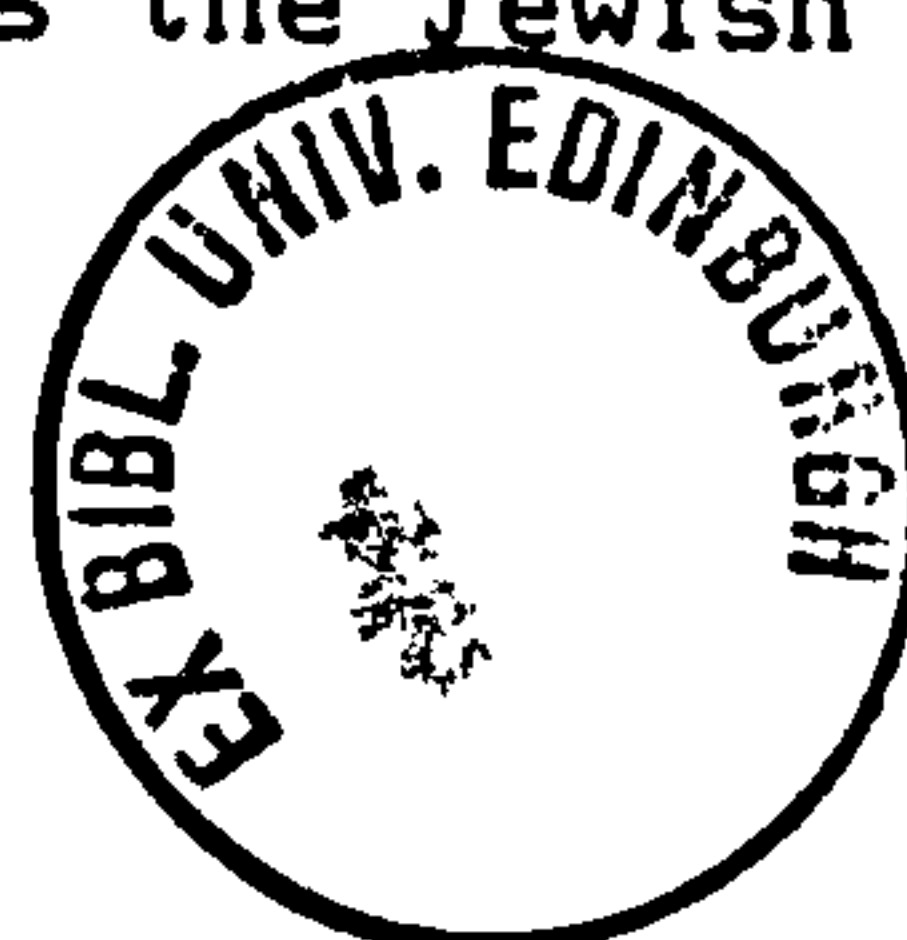
According to Acts, Jews were the first converts to Christianity and

they converted by the thousands (2:41). The first Jewish converts came from all parts of the known world (2:9-11) and this suggests a world-wide appeal. Although it seems certain that by the time of the writing of Luke-Acts the Jews and Christians had for the most part recognized their differences and gone their separate ways, it would be wrong simply to agree with Haenchen that "Luke no longer hoped for the conversion of the Jews"¹¹⁹. We contend that the portrayal of Paul as a loyal Pharisee and a Greek citizen and a Roman citizen was an attractive composite that might have appealed to the numerous Jews in the Diaspora who were effectively combining their Jewishness and Hellenism (eg. Timothy, Acts 16:1). It is true that Luke uses harsh language to reject the Jews but it is also true that the Jews whom Luke rejects are the Jews of Jerusalem (except for those who have converted and Gamaliel) and the Jews who, in their persecutions, are seen by Luke as no more than an uncontrollable mob (13:50; 14:5,19; 17:5,13; 18:12; 21:27; 22:22; 23:9). On the other hand, Jews are recognized as noble (17:11) and are associated with Greek men and women of high standing (v.12). Crispus, a leading member of the Synagogue in Corinth, converted (18:8), Apollos is a Jew of social standing and intelligence (18:24) and Paul, too, is portrayed as a Jew of high social standing. It appears that there is still hope for the high standing Jews of the Hellenistic cities of the Diaspora. Furthermore, even Peter in his opening speech used a missionary technique of convicting his audience in order to convert them (2:23,36-38). Hence, while it must be admitted that the overall picture of the Jew in Luke-Acts is not favourable, this negative portrayal would serve to attract Hellenistic Jews who would not wish to associate themselves with those Jews who are described by Luke as troublemakers

and unbelievers.

As is well known, Luke consistently reports that Gentile women and men of high standing are drawn to Paul's preaching (17:4,12). Paul can, at least, gain a hearing with the men of the Areopagus (17:22). Paul has Asiarchs for friends (19:31), appears before the prominent men and women of Caesarea during his trial (25:23), and is entertained by the first man of Malta, Publius (28:7). Yet, Luke also makes mention of the Greek mobs who harass Paul (13:50; 16:20; 19:28). However, Luke makes a distinction between the Greeks of high standing who are at least attracted to Paul, and at most converted, and the rabble who, like the Jewish mob noted above, do nothing but stir up trouble. We will have more to say on the function of the crowds and their social status in a later chapter. For now it is sufficient to state that Luke shows a marked interest in those of status, and seeks to identify Paul and, by extension, Christianity with the high and mighty of the Hellenistic world. Yet, as we emphasized above, although many have noted the high standing of Paul's converts, few have given enough attention to the social credentials of the Paul of Acts.

Finally, brief mention must be made of the Romans. We have noted above the opinion that Luke seems to have a purpose in describing those individuals who are Roman citizens in a particularly favourable way. We have already registered our criticism of this point of view but, to a certain extent, the observation is warranted. Paul is, particularly in the last eight chapters, portrayed as being at ease in front of royalty and Roman authority. The centurion Cornelius and his household are converted by Peter (10:44), Sergius Paulus, who is the procounsul and described as a man of intelligence, disregards the Jewish magician and



marvels at the power of Saul and Barnabas (13:12), and Paul is treated with marked deference by his Roman guard (27:3). However, Luke does not cover up less positive portrayals of Roman authority. Besides the fact that Felix and Festus are less than paragons of virtue, Gallio hardly is a model of justice in the way he handles the disturbance in Corinth (18:17).

As Luke's description of those who respond to the Gospel and his dedication to Theophilus indicate, the author is interested in presenting Christianity as a religion for persons who would like to identify with those of status and virtue. Yet, Luke's message is not intended only for those of high social credentials alone. Luke is also intent on revealing to all his readers that the true source of status and virtue is God. When one becomes a believer and a citizen of the Kingdom of God, that individual receives a new, higher, status. Hence, the one who comes to faith, no matter what his or her previous social status, will be among the virtuous elite of which the Paul of Acts is the eminent leader and model. We will have to develop this contention in more detail in the next chapter.

As portrayed in Acts, Paul is an outstanding example of the ideal Graeco-Roman man. In Luke's composite portrait of his hero, based on various traditions and sources, he seeks to invite those individuals in the Graeco-Roman world to Christianity. Luke shaped his portrayal of Paul so that the Apostle became, "all things to all men that he might save some." The church of Luke's day was not on the fringe of extinction needing pastoral care but was a movement on fire. Luke's two-volume work reflects that enthusiasm and his work was directed towards the continuation and advancement of that movement.

In conclusion, Luke lived in, and wrote to, a world which was preoccupied with the issues of social status, rank, authority and moral virtue. It was to these societal issues and especially how they relate to the Lukan Paul that we shall turn. In order to press our case we will show that Luke emphasized certain aspects of his portrait of Paul, at the expense of historicity, in order to make him to be a man of high social status and moral virtue; in other words, a man of *dignitas*. We will do this in the following way. In the next chapter we will seek to lay the foundations for our study by defining and discussing the various issues related to social status from a modern sociological perspective. We will, in brief, reiterate the well known fact that the people of the Graeco-Roman world of the first century, perhaps even more than those of our contemporary world, were sensitive to their place in the social hierarchy. In the third chapter we will investigate Luke's narrative concerning Paul's stay in Jerusalem (21:17-23:22). It is in this section that Luke has Paul emphasize his social credentials. In chapter four we will show that Luke followed common rhetorical and literary methods in order to highlight Paul's virtue and moral integrity by juxtaposing him with other characters in the narrative. Finally, in the last two chapters (5 & 6) we will pay particular attention to the legal scenes in Acts. Our concern here, is to show that Luke's primary aim was to emphasize Paul's status and virtue rather than to stress the justice and fairness of Roman authority.

Restatement of Purpose

This dissertation is concerned with the portrayal of Paul offered by Luke primarily in the last eight chapters of the Acts of the Apostles

and more particularly still from Acts 21:37-28:31. Our interest in the Lukan portrayal of Paul will, of course, force us to look outside these chapters as scenes in the last eight chapters echo earlier narratives and themes. We already have, for example, briefly commented on the preface of Luke's gospel and we will need to take into account other information about Paul that appears earlier than chapter 21. It is hoped that these excursions will enlighten our study of the last third of Acts.

Our reasons for limiting the study to the last eight chapters do not depend solely on convenience or on an arbitrary decision to make our dissertation more manageable although we admit that, if we were to attempt a comprehensive study of both volumes of Luke-Acts it would soon grow out of all proportion. The positive reason for selecting the last eight chapters in order to study Luke's Paulusbild is due to the fact that from Acts 21:17, the focus of Luke's attention is fully on Paul, his defence before Roman authority and his travels to the capital of the empire. From this point Paul takes centre stage as Peter, James, Silas, Barnabas, and the church of Jerusalem fade into the background. Hence, we will study the last eight chapters for we believe that Luke wanted to leave his readers with a particular and purposeful portrayal of his hero. In these last chapters Luke includes a variety of new descriptive material about Paul that offers special insight into Luke's purpose. In the last eight chapters Paul claims to be a strict Pharisee. He proudly declares that he is a citizen of Tarsus, that "no mean city". Moreover, it is in the last eight chapters that Luke most fully develops Paul's declaration that he is a Roman citizen.

It would be presumptuous to assert that our investigation will

answer all the questions raised by Luke's two volumes. However, we do believe that a careful evaluation of the characterization of Paul in Acts can help to reveal new aspects of Luke's primary purpose for writing, aspects that have not previously been given sufficient attention.

Notes for Chapter 1

1. Maddox, R., The Purpose of Luke-Acts, (Göttingen: Vandenhoeck and Ruprecht, 1982) [Purpose] p.67. Maddox writes that Paul "...is more important for what he represents than for his own sake.", p.70
2. Cadbury, H.J., The Book of Acts in History (London: Adam and Charles Black, 1955) [BAH], p.43; Vid. Dibelius, M., 'The Speeches in Acts and Ancient Historiography' in Studies in the Acts of the Apostles, [Studies in Acts] (ed.) H. Greeven, (London: SCM Press, 1973), p.146.
3. Haenchen, E., The Acts of the Apostles: A Commentary, trans. R.McL. Wilson (Oxford: Basil Blackwell, 1971) [Acts] p.679; Bruce, F.F., The Acts of the Apostles: The Greek Text with Introduction and Commentary [Acts] (London: Tyndale Press, reprinted 1962) agrees: "It is plain that Paul is Luke's hero, and the main object of some passages in Acts seems to be to show how Paul stands head and shoulders above other men", p.302.
4. Plümacher, E., Lukas als hellenistischer Schriftsteller: Studien zur Apostelgeschichte, (Göttingen: Vandenhoeck and Ruprecht, 1972) [Lukas], p.22.
5. Dupont, J., The Sources of Acts: The Present Position, trans. K. Pond, (London: Darton, Longman and Todd, 1964).
6. Barrett, C.K., 'Pauline Controversies in the Post-Pauline Period' New Testament Studies, 20, 1973-4, pp.229-245 and Jervell, J., 'The Unknown Paul' and 'Paul in The Acts of the Apostles: Tradition, History and Theology' in The Unknown Paul: Essays on Luke-Acts and Early Christian History, (Minneapolis: Augsburg Press, 1984) [Unknown Paul], pp.52-67, 68-76 respectively. Both Barrett and Jervell agree that there was a wealth of tradition about Paul in the early church. For the traditional opinion to the contrary vid. Dibelius, M., 'Zur Formgeschichte des Neuen Testament' IhR, New Series 3, 1931, pp.207-242 and Haenchen, E., Acts, p.82 who argue that there were relatively few sources concerned with the apostles and the growth of the early church. Although there is need for a further inquiry into this issue the position of Barrett and Jervell are more convincing to us than the position of Dibelius. The Acts of Paul and Thecla, the Letters of Paul and Seneca, The Acts of Peter and, in our opinion, the canonical pastoral epistles reflect various early traditions about the personality and teaching of Paul that are not necessarily derivative from either Acts or the genuine Pauline letters.
7. Burchard, C., 'Paulus in der Apostelgeschichte' Theologische Literaturzeitung 100, 12, 1975, p.889. ['Paulus']
8. Vielhauer, P., 'On the Paulinisms of Acts' in (eds.) Keck, L., and Martyn, J.L., Studies in Luke-Acts, (Abingdon Press: Nashville, 1966), pp.33-50; Dibelius, M., 'Paul on the Areopagus' in Studies in the Acts, p.71; Haenchen, Acts, pp.112-116. Vielhauer's article has continued to influence critical scholars, although there are numerous scholars who would disagree. Gasque, W.W., 'A Fruitful Field: Recent Study of the Acts of the Apostles', Interpretation, xlii, 1988, p.131; Bruce, F.F., 'Is the Paul of Acts the Real Paul?' BJRL 58, 1976, pp.282-305.
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13. Ibid. p.210.

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25. Jervell, J., 'Paul: The Teacher of Israel, The Apologetic Speeches of Paul in Acts' in Luke and the People of God, pp.153-193.
26. Maddox, Purpose pp.183-187.
27. Ibid., p.187.
28. Vid. Sanders, Jews p.xvi; vid. Haenchen, Acts p.128.
29. O'Toole, R.F., 'Luke's Position on Politics and Society in Luke-Acts' in Political Issues in Acts eds. R.J. Cassidy and P.J. Scharper, (New York: Orbis Books, 1983) [Political Issues].
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34. Ibid. p.264.
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46. Roloff, J., 'Die Paulus-Darstellung des Lukas; Ihre geschichtlichen Voraussetzungen und ihr theologisches Ziel' [Die Paulus-Darstellung], Evangelische Theologie[ET] 39,6, 1979 p.515.
47. Esler, Community and Gospel, pp.6-12.
48. Ibid. p.222.
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55. Tiede, D.L. Prophecy and History in Luke-Acts (Philadelphia: Fortress Press, 1980). Luke writes to a Hellenistic Jewish/Christian community faced with the distress of the destruction of Jerusalem and what that event means to their faith.
56. Karris, R.J., 'Poor and Rich; The Lukan Sitz im Leben' in Perspectives on Luke-Acts, ed. C.H. Talbert, (Edinburgh: T.&T. Clark, 1978) pp.112-125 [Perspectives]. To Karris, the Lukan community is facing persecution. Vid. Karris, 'Missionary Communities: A New Paradigm For the Study of Luke-Acts' Catholic Biblical Quarterly [CBQ] 41, 1979, pp.80-97.
57. Michel, Die Abschiedsrede pp. 35-72 where he discusses 'Die Gattung der Abschiedsrede'.
58. Haenchen, Acts p.136-7 n.4.
59. Maddox, Purpose pp.14-5.
60. Nock, A.D., Conversion: The Old and the New in Religion from Alexander the Great to Augustine of Hippo, (Oxford: At the Clarendon Press, 1933) p.79, apud. Esler, Community and Gospel, p.25.

61. We will have more to say on this in chapter 4 when we investigate the rhetorical devices Luke used to shape his narrative.

62. Justin Martyr's Dialogue with Trypho reflects these very issues that were of concern to, at least, the Jews whom Justin wanted to represent through the figure of Trypho. Trypho is concerned that Christians should claim the God of Judaism when they do not follow all of the commandments and act like Gentiles. Furthermore, Trypho asks; how can Christians revere as God a man who was hung on a cross?

63. Esler, Community and Gospel p.125.

64. Evans, H.H., St. Paul, the Author of Acts of the Apostles and of the Third Gospel, 2 parts, (London: Wyman and Sons, 1884-1886); Weiss, J., Über die Absicht und den literarischen Charakter der Apostelgeschichte (Göttingen, 1897), pp.56,59; Plooij, D., 'The Work of St. Paul: A Historical Apology for Pauline Preaching Before the Roman Court' The Expositor 8th series, 8, 1914, pp.511-523; Plooij, 'Again: The Work of St. Luke', The Expositor 8th series, 13, 1917, pp.108-124; Mattill, A.J., 'The Jesus-Paul Parallels and the Purpose of Luke-Acts: H.H. Evans Reconsidered', NovT 17, 1975, pp.15-46; Mattill, 'Naherwartung, Fernerwartung, And the Purpose of Luke-Acts: Weymouth Reconsidered', CBQ 34, 1972, pp.276-293.

65. Barrett, C.K., Luke The Historian, p.63; "No Roman official would ever have filtered out so much of what to him would be theological and ecclesiastical rubbish in order to reach so tiny a grain of relevant apology"; vid. also Roloff, J., 'Die Paulus-Darstellung', p.514.

66. Overbeck, F., 'Introduction to the Acts' from DeWette's handbook trans, J. Dare in Zeller, E., The Contents and Origin of The Acts of The Apostles Critically Investigated, 2 vols. (Edinburgh: Williams and Norgate, 1875), pp.23-4.

67. Haenchen, Acts eg. p.630; Conzelmann, Theology of Acts pp.138-140.

68. Bruce, F.F., Acts, p.30-31; Easton, B.S., 'The Purpose of Acts', Theology Occasional Papers, 6, (London: SPCK, 1936).

69. Fitzmyer, J., Luke, p.57.

70. Maddox, R., Purpose, pp.91-96.

71. Walaskay, P.W., 'And So We Came To Rome': The Political Perspective of St. Luke (SNTS Monograph 49) (Cambridge: The University Press, 1983) [And So we Came to Rome].

72. Esler, Community and Gospel; Schneider, 'Der Zweck', p.60 who moves in this direction.

73. Walaskay, And So We Came To Rome, p.63.

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in light of Cassidy's earlier book which had a more negative evaluation of Roman authority.

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76. Josephus, The Jewish Wars [BJ], trans. H. St.-J. Thackeray, The Loeb Classical Library, (New York: Heinemann, 1927) i.1-3.

77. Cadbury, Makings, p.316.

78. Bruce, F.F., Acts p.31.

79. O'Neill, J.C., The Theology of Acts In Its Historical Setting² [Theology of Acts] (London: SPCK, 1970).

80. Ibid. p.185.

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82. Burchard, Der dreizehnte Zeuge, p.166.

83. Ibid. p.183.

84. Maddox, Purpose p.20.

85. Plümacher, Lukas, p.25 and pp.22-3 where he writes of the "agressive breaking out" of Christianity.

86. Ibid., p.19, and Beg. iv, p.212.

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91. Tiede, D., The Charismatic Figure as Miracle Worker (SBLDS 1; Missoula: Scholars Press, 1972).

92. Ibid., pp.285-287.

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Vid. Brawley's recent publication of the Jews of Luke-Acts where he presses for his legitimizing function of the Lukan Paul for the Jewish community. Luke-Acts and the Jews.

94. Esler, Community and Gospel, p.222.

95. Cadbury, H.J., BAH, p.138.

96. Earl, D., 'Prologue-form in Ancient Historiography' Aufstieg und Niedergang der Römischen Welt: Geschichte und Kultur Roms in Spiegel der neuen Forschung [ANRW] eds, Temporini, H. and Hasse, W. (Berlin: Walter DeGruyter, 1972) I, 2, pp.842-856; For more recent discussions see, Robbins, V.K., 'Prefaces in Graeco-Roman Biography and Luke-Acts' SBL Sem. Pap., 1978 vol.2, pp.193-207; Callan, T., 'The Preface of Acts' New Testament Studies [NTS] 31, 1985, pp.576-581, believes, contrary to C.H. Talbert and V.K. Robbins, that the preface of Luke is comparable not to biography but to histories such as Tacitus, Annals 1:1 and Dio Cassius, Roman History 1.2; Alexander, L., 'Luke's Preface in the Context of Greek Preface Writing' ['Luke's Preface'] Novum Testamentum [Nov. Test.], 28, 1986, pp.48-74 believes that Luke's preface and Luke-Acts should be placed in the genre of "scientific" treatises as opposed to historical or biographical.

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98. Marx, W.G., 'A New Theophilus' The Evangelical Quarterly [Ev. Q] 52,1, 1980, pp.17-26.

99. Cadbury, Makings, p.93.

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103. Cadbury, Beg. ii, pp.505-8.

104. Fitzmyer, Luke p.300.

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106. On the name Theophilus see Horsley, G.H.R., New Documents Illustrating Early Christianity 3 vols. [New Docs i, ii, iii] (North Ryde, N.S.W.: Macquarie University Ancient History Documentary Research Centre, 1981-3) iii, p.38.

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108. Cadbury, Makings p.347.

109. Fitzmyer, Luke, p.300.
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116. Dibelius, M., Studies in The Acts, p.88; 'The Text of Acts: An Urgent Critical Task' Journal of Religion 21, 1941, pp.421-431.
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Chapter 2

The Language of Social Status

As stated in the previous chapter, we believe that Luke has, for the most part, moved beyond introspective legitimation, i.e. legitimation of the faith for those who are already Christians, and has taken his gospel to the larger world by portraying Paul as a man who possessed the characteristic attributes of social status and moral virtue which would have been recognized by Luke's audience. In so doing, Luke both reflects his age's concern for social status and also seeks to shape a Christian understanding of true prestige and virtue. Therefore, we must identify those status characteristics which would have been important to the first century reader. Furthermore, we must discuss what is meant by the term "social status" as well as define a constellation of concepts - for example, "status crystallization" and "social stratification" - that scholars use when they discuss the subject. Although brief, this chapter will serve as a bridge between the introduction, which sought to identify the present trends of scholarship on the Lukan Paulusbild, and the third chapter which will investigate the biographical data of the Paul of Acts.

The first readers of Luke-Acts were introduced to a panoply of individuals who would have appeared in the life of the cities, villages and rural outposts of the Roman empire. The characters mentioned by Luke include individuals of every contemporary ethnic and political community. Furthermore, in his narrative Luke introduces shepherds, vinedressers, fishermen, tanners, silversmiths, purple dye sellers, charismatic leaders and their followers, priests and scribes,

prostitutes, tax-collectors, beggars, Roman soldiers of every rank, slaves and freedmen, land owners, tenant farmers, stewards, representatives of Roman authority, local non-Roman officials, rich and poor, men, women and children. These *dramatis personae* represent every position on the social scale. Therefore, this suggests that it may be appropriate to use the modern sociological terminology when studying Luke-Acts, but we need to examine this issue with some care.

Our case is that Luke, in the closing chapters of Acts, shows special interest in issues of status rather than those of rank and class. Hence, some general definitions are in order. Social status, rank and class are concepts that are often used indiscriminately. However, for our purposes, they should be distinguished. In modern terms, *classes*, "...are groups of people who, from the standpoint of specific interests, have the same economic position", while *status* is a "quality of social honour or lack of it and is, in the main, conditioned as well as expressed through a specific style of life."¹ Hence, class, on the one hand, is a term which more strictly defines economic earning power. Social status, on the other hand, is a term which possesses wider connotations denoting various levels of prestige not limited in its definition by economic factors. A person's class is one factor in determining their social status but it is not the only criterion of social prestige. This point does have a bearing on the ancient world. For instance, a tax-collector and a centurion might have a similar economic standing but possess differing social status within specific communities. In this dissertation we are not especially concerned with Paul's economic earning power, or class. Rather, we are interested in understanding Luke's portrayal of Paul's overall social status.

Likewise, a person's "rank" in society is important for determining their social status although "rank", in modern sociological terms, is meant to denote "...any formally defined position in society, while 'status' refers to positions of influence that may not correspond to the official pattern of the social order."² To E.A. Judge, status tends to convert itself to rank which is "...the fossilized status of the past... defending itself against the aspirations of those who have only status, often newly acquired."³ The term "rank" is useful when discussing formal groups within the Graeco-Roman world such as Senators or Equestrians. However, in Acts there is such a variety of individuals possessing differing status credentials that "rank" is not, for our purposes precise enough.

In summary, although the Lukan Paul's class, in terms of his wealth, and his formal rank are important for an overall understanding of his portrayal in Acts, an individual's social status is determined not only by wealth and position, but also by how that person is perceived by others. Furthermore, in the Graeco-Roman world, the ideal man of social status possessed true dignity and moral virtue. As we will indicate in chapter 4, judgement concerning a character's moral excellence can be included in a comprehensive understanding of a person's status. Therefore, in defining, in brief, "class", "status" and "rank", we have found that the term "social status" is more dynamic, flexible and inclusive than the other two terms and hence, most appropriate for a discussion of the prosopography of Paul in Acts.

We also need to define more carefully another term which is obviously important to the study of the Roman world which differentiated between those who were of the *ordo senatorius* (Senators) and *ordo*

equester (Equestrians) and saw a moral distinction between freedmen and slaves. The technical term is 'social stratification'. By social stratification we mean the sociological concept "...that refers to the fact that both individuals and groups of individuals are conceived of as constituting higher and lower differentiated strata, or classes, in terms of some specific or generalized characteristic or set of characteristics". Inherent in this definition of social stratification is an evaluation of an individual's worth in society depending upon his placement on the social scale of that society⁴. R. Brown provides four criteria for a meaningful understanding of social stratification. First, a given population must be conscious of social division, and agree on number and membership; second, the styles of life are "strikingly uniform within the stratum" and clear contrasts between the strata are recognizable; third, social interaction is sharply patterned by stratum; fourth, "the boundaries suggested by the three kinds of data are coincident."⁵ These criteria give precision to what every student of the Classical world intuitively recognizes: that the Graeco-Roman world of the first century was socially stratified. Although overdramatic, M. Rostovtzeff's description of the stratification of the Mediterranean world is useful:

The Senators and Knights of the capital smiled at the boorishness of the municipal *gransignori*. The latter, in their turn despised the rich freedman and others. And separated from all stood the lower classes of the freeborn population, the mass of free peasants, free artisans, half-free farmers, and manual workers. Among the lower classes, again those resident in the city looked with a kind of contempt on the peasants, the *pagani* or *rustici*. In the background there was the enormous mass of slaves, servants, artisans, miners, agriculturalists, sailors and so forth⁶.

The sense of higher and lower status pressed heavily upon the people. P. Garnsey, in his influential evaluation of the legal privileges expected by and afforded to those of high social standing, begins his study with the following recognition of the ethos of the social environment:

The Romans saw men as subordinated to or raised up above one another by their involvement in conventional social relationships (as father was placed above son, a patron above a freedman, — and a master above a slave); by their involvement in political relationships (the magistrate was placed above the private citizen); and by their respective positions in society⁷.

However, despite the rigid social barriers and the social hierarchy placed from above, it would be incorrect to conclude that there was no social mobility from below. Everybody, it seems, sought to improve their social position and it would be fair to say that those who most bitterly complained about the breakdown of the strict social hierarchy were those whose high status was most threatened. Slaves worked hard for and more often than not received their freedom⁸ (vid. Acts 6:9). Furthermore, if they had been owned by a Roman citizen, the slaves could expect to gain citizenship as well. Freedmen could amass vast fortunes and, in some cases, advance to positions of great authority⁹. However, while the freed slave was in a superior social position vis-à-vis those who had not yet been freed, it was hardly the case that he was a social equal of the one who had been freeborn. A slave's name often indicated his former status and it would take at least several generations for the ignominy of slavery to be forgotten. Generally speaking, women as a group did not possess a high status and were subordinated to their husbands or fathers¹⁰. Yet, there are many examples of women who owned their own businesses and were influential members of their communities.

In Acts, Luke mentions Lydia who was a seller of purple (πορφυρόπωλις-16:14), Priscilla, who with her husband, was a tent-maker (σκηνοποιός-18:3), and the women of Thessalonica and Beroea whose high status was acknowledged by Luke (17:4,12). In all, there were opportunities for social advancement. Nevertheless, clear social boundaries remained and those individuals who succeeded in raising themselves above the station into which they were born were exceptions that proved the general rule. Therefore, while it is no doubt true that the world in which Luke lived and wrote can be described as one which was socially stratified, this concept is in need of further refinement.

Traditionally, the discussion of social stratification concerned the description of a single hierarchical structure within which each member of the society occupied a single position. For example, a Senator held a recognized social position above the Equestrian who, in turn, possessed a higher social status than that of the decurion, who was above the ordinary Roman citizen. At the lowest end of the social scale were women, children and slaves. However, in the last thirty years it has been recognized that social stratification is best understood as a multi-dimensional phenomenon¹¹. A true interpretation of an individual's social status is achieved by measuring the rank of an individual along each of the relevant, parallel, vertical, social hierarchies, or indices. To give but two examples from Acts, Lydia as a single woman did not possess a high rank in the social hierarchy in terms of sexual identity (16:14). Yet, as indicated by her profession, she most likely possessed a fair amount of wealth and had relatively high economic status. If we could discover whether she was a slave, a freedwoman or freeborn we could achieve an even more precise social

description of Lydia's overall status. Felix, the Governor, held a relatively high position on an occupation hierarchy. Since he was an equestrian he would possess a high degree of wealth and objective rank. Yet, as tradition has it, he was a freedman and hence, would not have been highly placed on a social hierarchy of pedigree.

The modern sociological discussion of this concept was pioneered by G. Lenski. In his study of social stratification and voting preference in Detroit, Lenski identified four relevant hierarchies of social status. According to Lenski they are: income, occupation, education, and ethnic background¹². He found that individuals who had high status crystallization (who were "status consistent"), that is, who were highly placed on each of the social hierarchies, tended to vote for conservative politicians who would, for the most part, maintain the status quo. Conversely, Lenski found that those who were consistently not highly placed on the social hierarchies tended to support candidates who promised change. Lenski also advanced the contention that those individuals of low status crystallization, who were high on some status indices and low on others, were subjected to certain social pressures. For example, a black (low ethnic status) doctor (high occupation, education and income status) was not always accepted by his white contemporaries. Yet, his education, income and occupation set him above the majority of black people in Detroit. Since he was on the boundaries of potentially conflicting communities he could become a "marginal" individual, one who was not accepted by either group. Lenski's conclusions have been widely accepted and other sociologists have continued the study of status crystallization or status consistency in terms of psychological stress and self-acceptance¹³.

We must acknowledge, at this point, that a potential methodological difficulty arises in simply appropriating sociological jargon based on data gathered from 20th century, Western, industrial societies and assuming that it describes the experience of 1st and 2nd century, pre-industrial, Middle-Eastern and Mediterranean communities. One must be careful of anachronism. On the surface, there would seem to be a great dissimilarity between a black doctor in Detroit and, for example, a Jewish doctor in Antioch. For example, doctors in antiquity had a much lower status than today. However, noting the dissimilarities, we would want to contend that individuals of both historical eras would be confronted by similar social pressures. Therefore, with certain adjustments, we believe that the results of contemporary tests concerned with the dynamic concept of social status can be useful for an understanding of the first century world which was most probably more status conscious than ours. As we study the portrayal of Paul in Acts and the classical Graeco-Roman world up to the second century of the common era, we must identify those status hierarchies that are appropriate to Luke's historical context. For example, as W. Meeks contends, wealth might count more heavily than having a rhetorical education, but being a scion of an old and famous family might count more than both⁴.

We must now proceed to identify those status hierarchies, or status indices, which were of importance to the Graeco-Roman world and are of significance for a proper understanding of the portrayal of Paul in Acts. W. Meeks has written in a recent publication:

Some of the indices of higher status were these: Roman citizenship especially in the provinces in the early years of the empire when it was rare; citizenship in the local polis, compared with resident aliens; among the citizens, the decurions

or city councillors of smaller cities; wealth, more and more, preferably inherited rather than worked for, and invested in land rather than trade; family and origin, though a freedman or even a slave of the emperor or of a senator was better off than many freeborn persons¹⁵.

Even a cursory glance of the literary and epigraphic evidence of the classical age shows that Meeks is correct.

Lack of citizenship was, in the words of E.A. Judge, "a humiliating barrier to social acceptance in many cases."¹⁶ Terms such as "stranger", "pilgrim", "sojourner" found in the biblical texts reflect the vocabulary of social exclusiveness¹⁷. Those of the leisured elite separated the professions between the "liberal" and the "vulgar".

Cicero writes:

Opificesque omnes in sordida arte versantur; nec enim quicquam ingenuum habere potest officina...Quibus autem artibus aut prudentia maior inest aut non mediocris utilitas quaeritur ut medicina, ut architectura, ut doctrina rerum honestarum, eae sunt iis, quorum ordini conveniunt, honestae¹⁸.

Although education and wealth were not, in and of themselves, enough to secure the individual a place among the elite, education and wealth were part and parcel of true social prestige¹⁹. In the eyes of those individuals of repute, the poor were morally weaker and, generally speaking, benevolences and gifts to the poor were a means of increasing one's prestige rather than being an expression of moral compassion²⁰.

Just how important one's pedigree was, in terms of social legitimation and acceptance, is reflected by the note of urgency in the words of Josephus as he indicates that he is not of ignoble birth:

ἔμοι δέ γένος ἐστὶν οὐκ ἄσημον, ἀλλ' ἐξ ἱερέων ἄνωθεν καταβεβηκός... τὴν μὲν τοῦ γένους ἡμῶν διαδοχὴν, ὥς ἐν ταῖς δημοσίαις δέλτοις ἀναγεγραμμένην εὖρον οὕτως παρατίθεμαι τοῖς διαβάλλειν ἡμᾶς πειρωμένοις χαίρειν φράσας.²¹

Furthermore, Josephus writes concerning his father:

Ὁ πατήρ δέ μου Ματθίας οὐ διὰ μόνην τὴν εὐγένειαν ἐπίσημος ἦν,
ἀλλὰ πλεον διὰ τὴν δικαιοσύνην ἐπὶ ηὐεῖτο, γνωριμώτατος ὢν ἐν
τῇ μεγίστῃ πόλει τῶν παρ' ἡμῖν τοῖς Ἱεροσολυμίταις²².

One can also see this concern in Luke-Acts. Paul is insulted when the tribune asks if he is an Egyptian (21:39). Moreover, Paul begins his speech to the Jews of Jerusalem with a statement about his Jewish background and credentials (22:3). Furthermore, despite his humble birth, the genealogy of Jesus (Lk. 3:23ff) shows his outstanding pedigree.

Finally, although not mentioned by Meeks, there was an important status distinction between rural and urban. The gospel stories of Jesus and his followers reflect primarily the life and experiences of rural men and women. To live off the land, totally dependent upon the conditions of weather and soil, was a meagre existence. A bad year might mean the loss of all possessions with little hope for recovery. Away from the city, the rural dweller was less likely to be involved in the larger commercial and social life. Whether one was a tenant farmer on the estate of some great landowner or a hired fisherman working for one of the fishing collectives it was, more or less, a subsistence living. Rural folk would hardly have been considered privileged persons²³.

Where does Paul stand on the social scale? In order to come to a proper understanding of the Lukan portrayal of Paul in Acts we will take into account how Luke describes Paul in terms of the following status characteristics which correspond to the status hierarchies described above. They are: 1) pedigree, 2) education, 3) free, freed, or slave, 4) occupation, 5) wealth. Yet the man who could truly claim to be a member of the *honestiores* also possessed the gentlemanly cardinal

virtues of φρόνησις, σωφροσύνη, δικαιοσύνη, and ἀνδρεία. Hence, we will also seek to understand the portrayal of Paul in Acts as a man of solid social credentials and moral virtue by being sensitive to the way in which Luke shapes his narrative. We must pay close attention to the company Paul keeps and to the way Paul is juxtaposed with his antagonists. Likewise, it is important to notice how characters in the narrative react to him, and how Paul responds to personal misfortune and trials.

As we seek to accomplish our task we must keep the astute words of W. Meeks in mind. He writes:

...it would be a rare individual indeed who occupied exactly the same rank, in either his own view or that of others, in terms of all these factors. The generalized status of a person is a composite of his or her rank in all the relevant dimensions²⁴.

As we come to a proper understanding of Luke's characterization of Paul we will discover just how rare an individual Paul is and, at the same time, we should also come closer to a clearer comprehension of the purpose of this particular description.

Among other status attributes, Luke focuses on Paul's alleged Roman citizenship (16:36; 22:25,26,27,29), reports Paul's claim to be a citizen of Tarsus (21:39) and emphasizes Paul's Pharisaic pedigree (22:3). These descriptive hereditary endowments add to Paul's overall "objective" or "attributive" status. By objective status we mean those characteristics which concern generally recognized aspects of stratification which structure the environment²⁵. In other words, the formal social hierarchies that we have identified above are means of measuring one's objective status. As we will show in the next chapter, Paul's objective status, as described by Luke, is relatively high. In

addition, Luke describes Paul as a man of courage^{and} sobriety which are characteristics cardinal virtues. These attributes contribute to the overall objective portrayal of Paul as well. However, as we will argue below, it was important for Luke's general concern to show that Paul became a man of moral virtue only after his conversion.

Besides emphasizing Paul's high objective status, Luke also sought to show that Paul's status and authority were acknowledged and deferred to by many of the characters whom Paul encounters. By way of illustration, that Paul continually attracts converts of high social standing confirms that he, and the faith, have been "accorded" or have "achieved" a high status. "Accorded", or "achieved" status is that prestige given to individuals or groups by others²⁶. A testimony of Paul's high accorded status is indicated by Luke when he reports that the tribune assigned a force of nearly 500 soldiers to escort Paul from Jerusalem to the Governor in Caesarea (23:23). Likewise, the deference shown by the Centurion Julius to Paul on the trip to Italy (27:3) reflects Paul's accorded status. We believe that Luke's description of the distinguished audience that gathered to hear Paul's defense before Festus and Agrippa (25:23), as well as Festus' acceptance of Paul's request for a retrial in Rome (25:12) illustrates Luke's concern not only to portray Paul as a man of high social status but also to indicate that many others recognized and accepted his position. As we have already alluded to in the introduction, we believe that Luke has shaped the details of Paul's trial, "appeal" and journey to Rome as part of his overall intention of highlighting the status of Paul. We will discuss these contentious issues in detail in chapters 5 and 6.

Hence, Luke presents Paul as a man of high objective status who also

has achieved a correspondingly high accorded status. Furthermore, in the three accounts of his conversion/call, Paul indicates how his "subjective" status vis-a-vis the church and God has changed. Once a persecutor of the Christians, now he perceives himself to be the missionary par excellence of the faith. By "subjective" status we mean "the personal sense of location within the social hierarchy"²⁷. Since Luke is constructing a narrative of sequential events rather than focusing on the feelings of specific characters in Acts, it is difficult to judge the subjective status of any of the characters.

A proper understanding of the three types of status is important because any individual is associated with various social groups. These individuals may have a different objective, accorded and subjective social status within each of the communities to which they belong. Several factors must be kept clearly in focus. Within any given population there is a social hierarchy. For example, in the macro-society, a fisherman, in a profession of low social status (low objective status) in the Graeco-Roman world, would never be able to transcend the social requirements needed to become a Senator. Nevertheless, that same fisherman, in his micro-society, might become a relatively wealthy and respected leader within his village and hold a position of high social standing and high authority within his immediate community (high accorded status). Furthermore, within a new religious movement he might become a leading and authoritative member. Within the smaller community in which the fisherman is located his subjective status will probably coincide with his accorded status. Using Luke's portrayal of Paul in Acts as the primary example, we see that in each of the three ethnic/political communities to which Paul belongs he possesses

a high objective status.

As long as individuals remained in their particular communities where the boundaries of status were understood, little if any confusion arose. However, like the black doctor in Lenski's study, individuals in the first century who were of mixed status or crossed status boundaries faced inevitable difficulties. They would encounter the prejudice of those of recognized and long standing status, who were threatened by the "social climbers" who sought to enter a higher social stratum. For example, Petronius describes the lavish, lascivious and gluttonous feast of the freedman Trimalchio with satirical disgust. That Petronius has exaggerated the opulence of Trimalchio is certain. However, this portrait of a freedman engaging in conspicuous consumption would no doubt amuse those of long standing high objective social status who would know real-life, albeit lesser, examples of individuals who in their eyes had overstepped their place in society.

According to Petronius' portrait, Trimalchio had reached a high level of objective social status in terms of wealth. Yet, from Petronius' point of view, Trimalchio could hardly assume a high "accorded status" since his true crass and grotesque, "objective" nature, which reflected his slave background, could never be hidden behind riches²⁰. We see here an implicit expectation of an association between inherited rank and noble character assumed by many Greek and Roman writers. As we will show in a later chapter, the governor of Judea, Felix (Acts 23:24ff), was another who could claim a high objective social status which came as a result of his political position. However, in the eyes of Luke, Felix never exhibited the authority and self-control due his appointment (24:25,26).

On a less satirical note, it is clear to see that within the Christian community there were many believers whose objective secular status was not always coincidental with their accorded religious status. For example, the objective status of Priscilla and Aquila, the Jewish tent-makers, was not as high as, for example, Apollos, who is described by Luke as an ἄνθρωπος λόγιος from Alexandria (18:24). Although we know nothing from Acts about his pedigree or profession, Luke's description of Apollos implies that he was a man trained in rhetoric and therefore, possessed some level of sophistication. However, as teachers, Aquila and Priscilla have a high accorded status in the eyes of the Christians. Apollos in Acts, by contrast, in spite of his high objective status in terms of secular society, does not have as high an accorded status as that of his teachers (18:26).

W. Meeks has argued, as have many others, that early Christianity included individuals representing a variety of positions in the social hierarchy who were mixed in the communities²⁹. Individuals of relatively high objective social status (e.g. a freeborn, male, Roman citizen who owned the fishing co-operative in his coastal city) might conceivably be taught and placed under the authority of one of low objective but high accorded social status (e.g. a freed slave who fished for the co-operative). This fact is surely illustrated in Acts where the first authoritative leaders are perceived as unsophisticated followers of a wandering charismatic. The early church included Peter and Cornelius the centurion, Simon the tanner, a minister of the Queen of the Ethiopians (8:27), Priscilla, Sergius Paulus (13:7) and a member of the court of Herod (13:1).

The mixing of individuals of varying degrees of social status around

the communion table and the crossing of the social boundaries could be problematic, as G. Theissen has perceptively advanced in his study of the Corinthian community³⁰. Yet, as Meeks has indicated, the mixing of individuals and the crossing of status boundaries was probably an appealing aspect of the new faith ~~either for those who~~ did not possess high status in the non-Christian community or for those "status inconsistencies" who found it difficult to locate themselves within a homogeneous secular community. Maintaining disparate levels of social status could lead to what is called "status dissonance" and "marginality"³¹. Meeks assumes that individuals who suffered from the ambiguities of status inconsistency and therefore confronted status dissonance

brought with them not only anxiety but also loneliness, in a society in which social position was important and usually rigid³².

Meeks also believes that the presence of a group of Gentiles who adhered to the Synagogue ("Godfearers") "testifies to some kind of dissonance between them and their society."³³ Theissen, in his study of the apparent division within the Christian congregation at Corinth, believes that Christianity offered the Gentile, who was sympathetic with, but not a proselyte of Judaism, "...the possibility of acknowledging monotheism and high moral principles and at the same time attaining full religious equality without circumcision, without ritual demands, without restraints which would negatively affect their social status"³⁴. It is interesting to note that these Godfearing Gentiles are often mentioned in Luke-Acts (e.g. Luke 7:5; Acts 10:2; 16:14; 17:4). We would tentatively contend that, although not exclusively, Luke aimed his two volumes to those Gentiles who were drawn to the Synagogue. As

we will see, the Paul of Acts represents all that would be attractive to them. Luke had Paul claim that he was a citizen of Rome and Tarsus. In so doing, the Lukan Paul represented an individual of secular status and success. However, Luke also stressed Paul's strict Pharisaic Jewish pedigree. In the next chapter we will investigate these three claims in more detail. For the present discussion it will suffice to say that Luke, through the highlighting of Paul the Pharisee, offered to his audience an example of one who could combine righteousness before the law with high secular status. Likewise, Luke describes a faith community in which all are welcome and those of high status do not need to relinquish their prestige.

Our contention is backed up by the findings of K. Kuhn and H. Stegemann who summarized the epigraphical data in the following manner:

Unter den 'Gottesfürchtigen' in der jüdisch-hellenistischen Diaspora war der Anteil der sozial Bessergestellten wesentlich größer als unter den Proselyten, die zum größeren Teil aus niedrigeren Volksschichten (z.B. Sklaven) kamen²⁵.

Black doctors in the twentieth century, freedmen with skills but stigmatized by their origins, independent women of moderate wealth, Jews who lived in Hellenised cities in the first century, and Gentiles who were drawn to the Synagogue, all had to come to terms with the various status expectations of the larger society, and of the various communities of which they were a part. We believe that Luke wrote with such individuals in mind. As we will show, Luke attempted to accomplish this task by holding up Paul, who had high status crystallization, to those who were seeking to increase or maintain their social status. Paul's objective secular status reflected positively upon the faith.

Yet Luke's purpose in presenting Paul's high objective and accorded

secular and religious status with such prominence contains a deeper significance. Not only was Luke asserting that the church could attract those of relatively high social standing but it could also offer the believer, upon conversion, a new accorded status which would, in turn, be recognized by the unbeliever as a mark of significant social distinction. We believe that Luke was concerned to show that, as one was accorded a new religious status, one's objective and subjective secular status would naturally increase. In other words, to Luke, becoming a Christian could only help one's comprehensive social status. Therefore, Luke's appeal was made not only to those of relatively high social standing but also to those who possessed few significant social credentials.

In Acts, Paul is the definitive example of one who experiences a change of status through conversion. On three occasions Paul tells of the event on the road to Damascus where he went through a metamorphosis from persecutor to missionary. It is germane to note that the community in Jerusalem did not immediately recognize Paul's new status (9:26) until he had proven himself worthy (9:28). Using sociological jargon, the Jerusalem Church did not accord Paul the status that corresponded to his new objective status as a Christian in the sight of God. Furthermore, as we will discuss in more detail below, Luke has Paul confess that while he was a persecutor he was enraged and embittered. Yet, after his conversion he became a man of sobriety and self-control (σωφροσύνη-26:25).

Although in the concluding chapters in Acts Luke portrays Paul as a man who possesses high objective social status, we believe that it is important to mention that Luke does not offer a full description of

these status characteristics of Paul to the reader until well after his conversion in Acts 9. It would not be too far fetched to presume that this was done intentionally. We would assert that Luke wanted to suggest that true status and virtue were given to the believer by God through the Holy Spirit at conversion. This contention will receive a more detailed discussion in chapter 4.

The point we are advancing here is initially confirmed by a recognition that the Holy Spirit is the agent that conveys a new accorded status to the believer and confirms a new objective status inside the Christian community. That this is the case is evident from the outset of Luke's gospel. Mary recognizes that her original humble status is forever transformed by God in her response to the Holy Spirit:

ὅτι ἐπέβλεψεν ἐπὶ τὴν ταπείνωσιν τῆς δούλης αὐτοῦ.
ἰδοὺ γάρ ἀπὸ τοῦ νῦν μακαριοῦσίν με πᾶσαι αἱ γενεαί.. (Lk. 1:48).

Mary further acknowledges, and by it Luke gives notice to his readers, that Jesus will be the cause of the rise of the humble and the fall of those in political authority (καθεῖλεν δυνάστας ἀπὸ θρόνων καὶ ὕψωσεν ταπεινοὺς- 1:52). In passing, it would not be irrelevant to suggest that this passage, which is explicitly threatening to secular authority, counts against the traditional argument, described in the introductory chapter, which held that Luke had a particularly positive view of Roman sovereignty. Even if it may be the case that Luke inherited this more radical motif from one of his sources, he has included it and so endorsed it.

Later in Luke's gospel Jesus promises his disciples that, when they are brought before powers and authorities to witness, he will give them wisdom (σοφία) (21:15). Mark and Matthew do not include

wisdom as a gift of the Spirit in their account of Jesus' words (Mk. 13:11; Mt. 10:19). Wisdom (σοφία), as we will indicate in chapter 4, is closely related to φρόνησις which was the premier cardinal virtue. Hence, once again we see that the Spirit gives the believer a new objective religious status which has implications for their accorded and objective secular status as well. The Spirit brings power, wisdom and courage.

Our discussion of objective and accorded status has important implications for Luke's portrayal of Jesus. A full investigation of this issue would distract us from our interest in Paul. Nevertheless, it appears that part of Luke's aim was to show that Jesus, who was of humble objective status by human standards, was of the highest objective status in the sight of God. Furthermore, Luke indicates that God designated Jesus Lord and Christ at the resurrection (Acts 2:33).

In Acts the first thing that the disciples await is the Spirit which will give them power (δύναμις) (1:8). It is also to be noted that Peter and John, even though they were considered to be simple uneducated fisherfolk of low objective and accorded status (ἄνθρωποι ἄγράμματοι εἰσεν καὶ ἰδιῶται) are transformed through the Spirit into men who speak with an authority that amazes the Sanhedrin (4:13). In the Graeco-Roman world, those who held positions of authority, and therefore could speak with boldness, were usually those of high social status. The term "boldness" might suggest presumption, but the reference in the context to a "sign" suggests a divine authorization. Here, in Luke and Acts, the Spirit empowers the lowly and increases their standing and prestige.

In Peter's first speech at Pentecost he promises his listeners that if they repent and are baptised, they will receive the gift of the Holy

Spirit (τὴν δωρεάν τοῦ ἁγίου πνεύματος- 2:38). As far as Luke in Acts is concerned, one of the main gifts of the Holy Spirit is a new accorded and subjective status which is awarded by God to the believer through faith which, in turn, gives a new objective status to the believer as a member of the Kingdom of God.

By way of summary, we would emphasize that Luke's evangelistic message was intended for a wide audience that included both those of relatively high and those of relatively low status. Luke did not dismiss those of high social status out of hand. Indeed he offered examples of persons who were of high objective social status throughout Acts and responded favourably to the Gospel. Yet, Luke does not ignore those of low objective social status either. Put simply, what Luke wanted to show was that conversion brought with it increased prestige, social standing and virtue. In Acts, not all individuals of high objective secular social status convert. Neither would it be correct to say that, for Luke, social standing was a pre-requisite for belief. However, status attributes such as wealth, good pedigree, education and an occupation of authority were not to be dismissed. Despite Jesus' words to the rich young ruler (Lk. 18:22), and Luke's positive description of the early Christian community of goods in Jerusalem (4:32ff), in the concluding chapters of his second volume, Luke indicates that those of authority and wealth would not have to lose or lessen their secular objective status to become a Christian. The prerequisite was recognition of the ultimate status and authority of Jesus as the Christ. To these potential believers, Paul represents the paragon of status and virtue. Likewise, those who sought to increase their status would be offered the definitive way of doing so. Through faith those of

low status would be accepted as social equals and mix freely with those of higher status. Luke's is an inclusive gospel.

In conclusion, we have made three assumptions. The first is that the Graeco-Roman world of the first century was both consciously and unconsciously shaped by the pressures of social status. Therefore we investigated the vocabulary of social status and sought to understand the various concepts involved in the subject. Furthermore, we attempted to show the relevance of this jargon to our study of the portrayal of Paul in Acts. The second assumption, which follows from the first, is that Luke was a writer of his age and hence reflects the issues which were important to the larger social world. With this in mind we attempted to identify those status indices which were important for Luke's social environment. We believe that the first readers/hearers of Acts would have intuitively recognized those characteristics that would have marked an individual as being of high status and moral virtue. Luke's audience would have immediately understood the inferences and implications of Luke's character description as well as the subtle and dramatic effects of the movement of the narrative. The third assumption, which is the only contentious one of the three, is that Luke shaped the characterization of Paul in Acts with a particular concern to show him to be one of high social status. It is now necessary to study the text of Acts in our attempt to understand the social description of Paul.

Notes to chapter 2

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12. Lenski, G.E., 'Status Crystallization: A Non-Vertical Dimension of Social Status' ['Status Crystallization'] American Sociological Review [ASR] 19, 1954, pp.405-413.
13. Lenski, 'Social Participation and Status Crystallization' ASR, 21, 1956 pp.458-464; Jackson, E. 'Status Consistency and Symptoms of Stress' ASR 27, 1962, pp.469-480; Jackson and Burke, P.J., 'Status and Symptoms of Stress: Additive and Interaction Effects' ASR, 30, 1965 pp.556-564; Blalock, H.M., 'Status Inconsistency, Social Mobility, Status Integration and Structural Effects' ASR 32, 1967, pp.790-801; Hornung, C.A., 'Social Status, Status Inconsistency and Psychological Stress' ASR 42, 1977 pp.623-638.
14. Meeks, 'The Social Context', p.268.
15. Meeks, W., The Moral World of the First Christians, (London: SPCK, 1986), p.34.
16. Judge, E.A. Social Patterns of Christian Groups in The First Century [Social Patterns] (London: The Tyndale Press, 1960) p.28.
17. Judge, ibid.; Lyall, F., 'Roman Law in the Writings of St. Paul- Aliens and Citizens' Evangelical Quarterly [Evang. Quart.] 48, 1976, pp.3-14.
18. Cicero, De Officiis [De. off.] 1.150; MacMullen, Roman Social Relations p.115.
19. Gager, 'Religion and Social Class' p. 114, concludes that education and wealth were not avenues to social status. He is correct in the sense that one could not buy nor teach a distinguished pedigree. Yet proper education was part of high social status and wealth was a prerequisite for membership of the Senate, the equestrian and decurion orders; Plato, Laws I, 641c-645c- education brings excellence and improves the condition of the mind and the body. Right education invariably produces good men who "live nobly and vanquish their enemies in the field as well".
20. One should be cautious of broad generalizations; There were, no doubt, those in the first century who had great compassion for the poor- vid. Strabo, xiv,2,5 (652) for a description of some inhabitants of Rhodes at the end of the first century who appear quite generous! However, Hands, A.R., Charities and Social Aid in Greece and Rome (London: Thames and Hudson, 1968) pp.62-75; Karris, R.J., 'Poor and Rich: The Lukan Sitz im Leben', in (ed.) Talbert, C.H., Perspectives in Luke-Acts, [Perspectives] (Edinburgh: T.&T. Clark), 1978) p.117, both conclude that the idea of philanthropy was not defined in terms of compassion. Karris writes: " While it may not be possible to develop an absolutely pure typology, the evidence is considerable that almsgiving is not known among the Greco-Romans whereas it is a cultural expectation for those from an Egyptian/Jewish background. The Greco-Roman would not come to the aid of a non-citizen; they would help a friend in need, but only to collect IOUs against future contingencies" p.117.
21. Josephus, Vita i.i.
22. ^{i.7} Ibid.; Freyne, S. Galilee from Alexander the Great to Hadrian 325 B.C.E. to 135 C.E.: A Study of 2nd Temple Judaism [Galilee] (Wilmington, M. Glazier, Inc. and University of Notre Dame Press, 1980) p.281, adds "Josephus, at the beginning of Vita stresses the fact that he is a descendant of one of the foremost priestly families, as recorded in the

public register which kept a stringent check on membership of such a privileged class within a hierarchy".

23. Freyne, Galilee pp.194-200.

24. Meeks, First Urban Christians p.54.

25. Lipset, S.M., 'Social Class' IESS vol.15, pp.296-316.

26. Ibid.

27. Ibid.

28. Petronius, Satyricon xxvi-lxxix; Reekman, T., 'Juvenal's View of Social Change', Ancient Society 2, 1971, pp.117-161.

29. Meeks, The First Urban Christians; Grant, R.M., 'The Social Setting of 2nd Century Christianity' ['The Social Setting'] in E.P. Sanders, Jewish and Christian Self-Definition, vol. 1 (London: SCM Press, 1980), pp.16-29; Theissen, G., The Social Setting of Pauline Christianity, trans. J. Schütz, [Social Setting] (Edinburgh: T. & T.Clark, 1982), p.33.

30. Theissen, Social Setting, pp. 70-73.

31. Lenski, 'Status Crystallization', p.407; Meeks, First Urban Christians p.53-4.

32. Meeks, First Urban Christians, p.191.

33. Ibid., p.221.

34. Theissen, Social Setting, p. 104.

35. Kuhn, K.G., Stegemann, H., 'Proselyten' PRE Supplement IX, pp.1266-67.

Chapter 3

Paul: Pharisee, Citizen of Tarsus and Roman Citizen? A Chapter in Probability.

This chapter is sub-titled "A Chapter in Probability" for it must be admitted by anyone involved in critical New Testament research that to prove anything beyond any shadow of a doubt is rarely possible. With this in mind it will be the purpose of this chapter to carry out a prosopographical investigation. The points at issue are the biographical details of the description of St. Paul, as provided by Luke, in the Acts of the Apostles. By the end of chapter 23, Paul is described, by Luke, as a Jew who has the citizenship of the Greek city of Tarsus (21:39). Likewise Paul claims that, from an early age, he was brought up in Jerusalem at the feet of Gamaliel (22:3). Furthermore, Paul is quick to assert that he is both a Roman citizen (22:25,27,28), and a strict Pharisee from a Pharisaic family (23:6).

Our task will be to re-read Acts 21:17 - 23:11 and argue that in this relatively short space Luke has described Paul in such a way as to make him a most unique figure in the 1st century Graeco-Roman world. As we have stressed in the previous chapter, and will subsequently indicate in the chapters to come, the Graeco-Roman world placed great significance upon one's breeding, one's social status, one's prestige, and one's authority. We believe that in both what is explicitly stated and what is implicitly presented, Luke was concerned to show that Paul was just such a man of prestige, status and authority. Therefore, a proper understanding of the biographical data presented by Luke, in 21:17 - 23:11, is of fundamental importance to a correct comprehension of all subsequent events recorded in Acts.

As indicated in the chapter 1, the fact that Paul is highlighted in Acts in order to serve a particular Lukan purpose is not debated. Furthermore, that Luke has either misunderstood, deliberately shaped, or blindly followed incorrect sources and so presented a portrait of Paul which, in its final form, is not historically accurate in all its individual parts is hardly an innovative observation. One merely has to scan the numerous articles and books on the comparison of the Paul of Acts with the Paul of the letters to realize that. However, what is somewhat suprising is that although so many have questioned Luke's theological portrait of Paul¹ and numerous scholars have indicated the difficulties, or tried to harmonize, the chronology of the Pauline mission², relatively few, in our mind, have fully recognized the difficulty of harmonizing the biographical details of the portrayal of Paul in Acts. Of those who have recognized the problems few have adequately appropriated them into a convincing discussion about Luke's portrayal of Paul³. For example, H.J. Schoeps in his study of Paul writes:

civis Romanus and ὁ πολῖτης ῥωμαῖός ἐκ παρισσίων was no doubt a rare one in Palestine and confronts us with an extraordinary phenomenon in the Diaspora⁴.

However, having made note of the "extraordinary phenomenon" he does not press on, nor do many others, to investigate the implications of his statement. Furthermore, he does not even mention Paul's citizenship of Tarsus which, due to various civic and social obligations, would probably have been even more problematic than just the Roman citizenship.

We believe that Luke described Paul as a strict Pharisee, a citizen of both Tarsus and Rome, in order to suggest that Paul was a man of

social and religious status and moral virtue. We contend that it would have been highly improbable for a strict Pharisee, who had come from a strict Pharisaic family from Tarsus, also to possess citizenships which would have been commensurate with wealth, status and civic responsibility.

Considering our overall concern with the issues of social status and moral virtue, it is important to emphasize at the outset of this chapter that each of the religious and civic claims made by Paul in Acts would have, in and of itself, carried with it a high degree of prestige and respectability relative to particular communities. For example, Pharisees were recognized for their strict observation of Torah in matters of cultic cleanliness, table fellowship and had the reputation of separating themselves from the larger community. The Pharisees, as we can gather from the sources, were both respected by some and dismissed by others for their strict interpretation of Torah. They possessed a high degree of religious status. Josephus wrote that "they make no concessions to luxury"⁵. Although Pharisees were not, as a rule, wealthy, some were highly educated and their adherence to the law made them an esteemed group. In the writings of Josephus, the Pharisees play a particularly prominent role in first century Judaism and had the support of the majority of Jews in Jerusalem⁶. In the Gospels the Pharisees are notorious but, nonetheless, recognized for their reputation and authority. In Acts, the Pharisees, represented by the person of Gamaliel - who was held in honour by all the people (Acts 5:34) - are favourably represented. As indicated in the previous chapter, social status is not strictly defined in terms of wealth. Therefore, it is not improper to suggest that, at least to those who

would have read Josephus, the Gospels, and Acts, Pharisees had high visibility and corresponding high religious and social status.

Secondly, not everyone in the Graeco-Roman world could claim citizenship of their πόλις. For Paul, as he indicates in Acts, to be a citizen of Tarsus was no mean claim. Now, for Paul to be a full citizen yet claim a strict Jewish, if not Pharisaic, upbringing is problematic. While communities of Jews did possess a recognized civic status in the cities of the Diaspora as members of a πολίτευμα, they did not automatically possess full citizenship. Full citizenship in the Greek cities implied worshipping the local gods and participating in Greek education. That Jews possessed certain civic rights which allowed them to follow their own customs and not to participate in the celebrations of the city may indeed be true, but these particular charters of special civic status do not necessarily prove full citizenship as the primary evidence, which we will investigate, suggests. Although many have used the data presented in the writings of Josephus to prove otherwise, we will claim that Jews as an ethnic community did not automatically possess citizenship (πολιτεία). As we will indicate in more detail below, formal citizenship was not determined simply by residence, or by birth in a given location. Citizenship in the cities such as Alexandria, Antioch, Athens, Cyrene and Tarsus was always limited, and therefore carried with it a high degree of social superiority and implied wealth and importance.

Finally, although Roman citizenship became increasingly common through the first three centuries, for Paul to have the citizenship in the first century is a mark of distinction. Citizenship of Rome in the eastern provinces before the more lenient policy of Claudius was

bestowed only by individual grants and was very rare⁷. As affirmed in Acts, Paul's citizenship was inherited, which means that Paul's family earned or was given the citizenship during the reign of Augustus, if not before. For a family from Tarsus to have Roman citizenship implies a status and prestige that would have been shared with an infinitesimally small number of individuals in the eastern provinces of the Roman Empire. W. Ramsay admitted that for Paul's family to possess both citizenships would most likely have placed them among the governing elite of the Empire!⁸ The combination of Roman citizenship with Greek citizenship was not uncommon, but again both of these citizenships would have implied a degree of Hellenization which to our mind would have made strict Pharisaic practice difficult, if not impossible.

The problem, simply stated, is whether it is probable that Paul could have lived in a Pharisaic family from birth, been a citizen of Tarsus and a Roman citizen in the manner in which Luke presents it. When studying the description of Paul in Acts, one receives the distinct impression that the whole of the portrayal of Paul is greater than the sum of each of the parts. Therefore, the question to be asked in this chapter is whether it is probable that this portrait of Paul in Acts is an historical description, or whether Paul is presented in Acts in such a way as to stress his social credentials for a particular purpose.

Before commencing upon a detailed discussion of these problematic issues, some preliminary remarks are in order. Despite our contention, acceptance of the historicity of the Lukan portrayal of Paul remains persuasive to many for two reasons. First, the Paul of Acts supports the ecclesiastical tradition of Paul as the perfect "chosen vessel", able to bridge both Hellenistic and Jewish worlds. Paul himself

exclaims that to the Jews he is a Jew and, "τοῖς ἀνόμοις ὡς ἀνομος... ἵνα κερδάνω τοὺς ἀνόμους" (I Cor. 9:20-1). Scholars, who have not looked closely enough at the biographical details presented by Luke, argue that there is no reason to question the data in Acts. The second persuasive reason, perhaps even more forceful than the first, is that the unique characterization of Paul suggests historicity, as it is thought that Luke would not have had sufficient motive for creating such a portrayal.

In response to the first reason, while we would agree that there is much in the traditions behind the sources used by Luke which is trustworthy, we believe that not enough attention has been paid to certain added features of the Lukan portrayal of Paul which are historically problematic. Furthermore, to say that Luke highlighted certain aspects of his portrayal of Paul in order to present him as a man of high social standing and moral virtue does not necessarily take away from Paul's unique genius, his eclectic upbringing, or his position as missionary to the Gentiles *par excellence*. That Paul came from Tarsus, moved to Jerusalem, and was at home in both the Greek and Jewish world may indeed be true. But a careful reading of Acts indicates that Luke was concerned to show more than that. In response to the second question it will be the purpose of this chapter to discern whether the portrait Luke presents is plausible or too good to be true. Hence, we shall defer our comment until the conclusion of this chapter when we review the evidence which has been presented.

Finally, our goal in this chapter is not, in the end, to discover the historical Paul. Rather, our goal is to discern the historical probability of the biographical details of the Paul of Acts. We believe

that too many scholars have not made a clear enough distinction between these two important quests. Even those who profess themselves to be critical of the theological and chronological evidence in Acts continue to use the biographical data about Paul uncritically. If our investigation has implications for the quest of the historical Paul, so much the better. However, our primary intention is to investigate the biographical data of Paul as presented by Luke in Acts in search of indicators of social status and moral virtue. We believe that Luke wanted to highlight those aspects of Paul's background which would serve his larger aim of writing a social apologetic of Christianity in order to evangelize to the larger Graeco-Roman world of Luke's day.

As stated at the outset, one of the main tasks of this chapter is to re-read Acts 21:17 - 23:11 and to look closely at the manner in which the character of Paul is presented by Luke in Acts, paying particular attention to his social description. We believe that Luke used and shaped the biographical material he acquired in order to draw attention to Paul's impressive social credentials. Our task is to identify both the explicit statements and implicit allusions which Luke intimates to his audience in order to convey Paul's pedigree, education, wealth and overall social status. We believe that Luke had a particular purpose in presenting Paul as an educated, law-abiding and pious Jew. Likewise, it was with a specific intention that Luke indicated that Paul could claim citizenship from Tarsus and would not let his background and family be slandered. Moreover, Luke reflects a distinctive aim in testifying that Paul was also a Roman citizen by birth right (*ingenuus*). We will have to investigate each of these claims in detail.

However, before investigating the biographical data in Acts, it is

necessary, for the purpose of comparison, to note the autobiographical details provided by Paul in his letters. As one turns to Paul's epistles one is confronted by the dearth of information about Paul's birth and upbringing which could serve to corroborate all of the specific claims which Luke has Paul make in Acts. There is no explicit evidence that Paul was ever born in Tarsus or, for that matter that he was a Roman citizen. In Galatians 1:21 Paul reports that he went into the regions of Cilicia after seeing Peter and James in Jerusalem but this is hardly tantamount to a confession of his birthplace.

Some have tried to find a reference to his Roman citizenship in Philippians 1:13-26 where Paul writes that he has a choice to make about life or death. J.-F. Collange, in his commentary on Philippians, believes that Paul's dilemma involves a decision whether or not to disclose his Roman citizenship. To Collange, if Paul does decide to offer this information, he will be freed to continue his mission⁹. Collange's reconstruction goes far beyond the evidence of those verses. It has been argued that Paul does not mention his citizenships in his letters either because the context of the letter does not call for this self-disclosure or because he is too modest to do so. While these are possibilities, they are no more than conjecture. Furthermore, that Paul does not speak of his Roman citizenship due to modesty is, to our mind, faulty, for it seems to contradict the Paul of the letters who, in defense of his gospel, never hesitates to proclaim his credentials. That "Paul" is a "good" Roman name deserves some mention but we believe that it alone is not decisive for accepting without doubt that Paul was a Roman citizen. We will have cause to return to the issue of Paul's name below and so we will defer further comments until then.

What does appear with great clarity in the letters is that Paul saw himself as an Israelite, and a descendant of Abraham from the tribe of Benjamin (Romans 11:1). Paul declares that he was circumcised on the 8th day and that he was a "Hebrew of Hebrews, and as to the law a Pharisee" (Philippians 3:5). He even recalls with no lack of pride, that he was advanced in Judaism beyond his contemporaries and that he was extremely zealous (Galatians 1:14). It was this zeal that led him to persecute the early church (Gal.1:13). Paul is proud of his Jewish pedigree and does not hesitate to proclaim it. Hence, the only explicit biographical data that we possess concerning Paul show that he was a strict Jew - and a zealous one at that. We shall have cause to return to this information throughout this chapter.

Having thus noted the biographical data presented in the letters, we shall now return to the portrayal of Paul in Acts and investigate the claims in order as they appear in Acts 21-23. We will first discuss the evidence concerning the possession of Greek citizenship by Jews (21:39). Secondly, we will study the data concerned with his alleged Roman citizenship (22:25). Thirdly, we will examine evidence concerning strict Pharisaism in the Diaspora and the meaning of the phrase *υἱὸς ᾠκιστῶν* (23:6).

When this preliminary study is complete, we will complete this Lukan portrait of Paul by selecting certain other passages which add to the totality of the Lukan portrayal of Paul. Finally, we will return to our original query and seek to answer the question about the probability that Paul could have combined such characteristics in the way Luke relates. It is important to note that each of the first three claims of Paul will not only be studied in and of itself but also in the

context of the scenes in Acts in which it is made. In so doing we seek to show that Luke was cognizant of the social significance of the claims being expressed.

Paul the Greek Citizen (21:39)

In an attempt to quell the riot that ensues upon the accusation that Paul has taken a gentile into the temple, the Roman guards carry Paul to safety, and when away from the crowd, they bind Paul with two chains (21:33). Out of immediate danger Paul requests to speak to those who would have taken his life¹⁰. Haenchen has remarked that Paul's request to the tribune (εἰ ἔξεστίν μοι εἰπεῖν τι πρὸς σέ; 21:37) is spoken with "elaborate politeness"¹¹. Many others have commented that Paul's request is spoken in very good Greek¹². The centurion is taken aback upon hearing such Greek and responds; Ἑλληνιστὶ γινώσκεις; (21:37). Such an introduction to Paul's speech is a wonderfully devised piece and it places Paul on centre stage. The tribune (χιλίαρχος) believed that he had caught the 'Egyptian' but the official's perception, roused by the dishevelled Paul, was far off the mark.

Commentators disagree on the historicity of the scene. For example, H. Conzelmann is convinced that this scene, as it is recorded in Acts, is unhistorical: "Die Szene 37f. ist rein redaktionell"¹³ and Haenchen concurs¹⁴. Bruce, on the other hand, sees no reason to dismiss this scene as redactional¹⁵. Most commentators note the problem of the identification of "the Egyptian"¹⁶. However, most attention is placed primarily upon the last clause of Paul's response: ἐγὼ ἄνθρωπος μὲν εἰμι Ἰουδαῖος Ταρσεὺς τῆς Κιλικίας, οὐκ ἀσκήμου πόλεως πολίτης. This clause is, in the words of Cadbury, "entirely idiomatic" in form and

application, which is expressive of Greek pride and indicates that the city in question is predominantly Greek¹⁷. That the phrase exhibits stylistic detail such as litotes and alliteration is accepted.

Likewise, the parallels in Greek literature have been noted by many and there is no need to repeat them here¹⁸. Some astute commentators have realized that Paul's claim to be a citizen of "no mean city" suggests a fairly high level of social status¹⁹ and F.F. Bruce realizes that for Paul to be a citizen of Tarsus and a Roman citizen, which Paul has already alluded to in Acts 16, "placed him among the elite of the citizens of Tarsus"²⁰. Yet, few have investigated, in any depth, the data which would support or deny the statement that Paul possessed the citizenship of Tarsus. Furthermore, while most commentators acknowledge the explicit status juxtaposition of Greek and Egyptian, the observation is given secondary importance. The primary importance of the scene, according to Haenchen, is that "it constitutes the first acquittal of Christendom... Christianity has nothing to do with political Messianism"²¹. This comment reflects Haenchen's, and most others', insistence that Luke is writing to impress upon his audience Christianity's peaceful and law-abiding nature. We, on the other hand, would want to note the important status juxtaposition and bring to the forefront the claim that is being made here. The reaction of Paul to his mistaken identity is representative of Luke's sensitivity to the issue of Paul's social status throughout these last chapters in Acts.

Being mistaken for an Egyptian was a social slur of no small degree. Jews who lived in Alexandria resented being identified as Egyptians. The Jews preferred to be identified as Greek citizens, although they were not as a group given the franchise, as we will discuss in more detail

below. The Greek citizens maintained their social distance from the larger Egyptian population through their tax exemptions and other privileges²². These perquisites were sought after, but not gained, by the higher status Jews of Alexandria. Josephus mentions that Egyptians were the only ones refused any citizen rights at all from Rome²³ and, in a papyrus, the derogatory implication of being called an Egyptian is made plain:

ἴσως με νομίζετε, ἄδελφοί, βάρβαρόν τινα ἢ Αἰγύπτιον ἄνθρωπον εἶναι.²⁴

Philo was even more scathing in his criticism of Egyptian natives. He showed contempt for Egyptian religion and described the Egyptian as passionate, unstable, rebellious and unreasonable²⁵. Strabo was likewise harsh. He called the Egyptians savage (βαρύς), not inclined to be civil (ἀπολίτικος), and numerous (πολύς)²⁶. The social and political changes instigated by the Romans had, at least to Strabo, begun to put things right; but there was still no good wine (ἅπασα μὲν ἡ χώρα αὕτη οὐκ εὖοινος)²⁷. He even associated Jews with Egyptians (καὶ οὗτοι δ' εἰσὶν Αἰγύπτιοι τό ἀνέκαθεν)²⁸. It is no wonder that Luke would want to distinguish Paul from the assassin.

In the account in Acts, Paul immediately takes offense at this social slander and is quick to proclaim his status and his credentials. His fluency in Greek is explained by his birth in Tarsus of Cilicia. This was no idle boast since Tarsus was, with Alexandria and Athens, arguably one of the three chief centres of learning in the ancient world, as well as being the capital of Cilicia and a free city of the Empire²⁹. Paul, in Acts, asserts that he was not just a native of the city but a citizen³⁰. Paul's Tarsian citizenship made no great impression on the

Tribune but this is only an indication of the Tribune's boorishness.

Dio Chrysostom described Tarsus in this way:

Ἡγεῖσθε μὲν γάρ ὧ ἄνδρες, εὐδαίμονας ἑαυτοὺς καὶ μακαρίους
ἐπειδὴ πόλιν τε μεγάλην οἰκεῖτε καὶ χώραν ἀγαθὴν νέμεσθε καὶ
πλεῖστα δὴ καὶ ἀφθονώτατα παρ' αὐτοῖς ὁρᾶτε τὰ ἐπιτήδεια,
καὶ ποταμὸς ὑμῖν οὗτος διὰ μέσης διαρρεῖ τῆς πόλεως, πρὸς
τούτοις δὲ μητρόπολις ἡ Ταρσὸς τῶν κατὰ Κιλικίαν.³¹

Although Dio's remarks on Tarsus are, on the whole critical,³² the faults attributed by him are those that, in the words of Sir William Ramsay, "...accompany overflowing prosperity."³³ Strabo, on the other hand, praises Tarsus as a city of high intellectual repute:

τοσαύτη δὲ τοῖς ἐνθάδε ἀνθρώποις σπουδὴ πρὸς τε φιλοσοφίαν καὶ
τὴν ἄλλην παιδείαν ἐγκύκλιον ἅπασαν γέγονεν ὥσθ' ὑπερβέβληνται
καὶ Ἀθήνας καὶ Ἀλεξάνδρειαν καὶ εἴ τινα ἄλλον τόπον δυνατὸν
εἰπεῖν ἐν ᾧ ὄχολαὶ καὶ διατριβαὶ φιλοσόφων γεγόνασιν.³⁴

Many influential Tarsians went on to make their mark on the world of scholarship and even on the family of the Caesars.³⁵ Later, during Diocletian's reign, Tarsian linen was given a high place in his edict fixing the price of commodities³⁶.

The history of the citizenship of Tarsus is complicated and the historical development of the civic rights of the Jews in that city, as in other cities in the Graeco-Roman world, is even more so. Before the reforms of Athenodorus (15 B.C.?), Tarsus had a democratic constitution that included all native free males as citizens. That this democracy recognized the equal status of the Jewish settlers is doubtful, as the evidence will indicate. Athenodorus reformed the constitution and required a payment of 500 drachmae³⁷ for the privilege of full citizenship. This act effectively disenfranchised the majority of the population by removing some of the craftsmen and most of the linen workers from the list of citizens. As Dio of Prusa's remarks suggest,

the citizens of Tarsus, in the post-Athenodorus reform, were concerned and embarrassed by the numerous linen workers who were for the most part underpaid and made up the bulk of the day labourer of the city:

Τί οὖν σὺ κελεύεις ἡμᾶς; τοὺς ἅπαντας ἀναγράψαι πολίτας ναί φημι, καὶ τῶν αὐτῶν ἀξίους, ἅμα μηδὲ ὀνειδίζειν μηδὲ ἀπορρίπτειν ἀλλὰ μέρος αὐτῶν, ὥσπερ εἰσὶ, νομίζειν. οὐ μὲν γάρ, ἂν τις καταβάλη πεντακοσίας δραχμάς, δύναται φιλεῖν ὑμᾶς καὶ τῆς πόλεως εὐθὺς ἄξιος γεγονέναι εἰ δέ τις ἢ πένης ὢν ἢ πολιτογραφουντός τινος οὐ μετείληφε τοῦ ὀνόματος, οὐ μόνον αὐτὸς παρ' ὑμῖν γεγονώς, ἀλλὰ καὶ τοῦ πατρὸς αὐτοῦ καὶ τῶν προγόνων, οὐχ οἷός ἐστιν ἀγαπᾶν τὴν πόλιν οὐδ' ἡγεῖσθαι πατρίδα, καὶ λίνον μὲν εἰ τις ἐργάζεται, χείρων ἐστὶν ἑτέρου καὶ δεῖ τοῦτο προφέρειν αὐτῷ καὶ λοιδορεῖσθαι βαφεὺς· δὲ ἢ σκυτοτόμος ἢ τέκτων ἔαν, οὐδὲν προσήκει ταῦτα ὀνειδίζειν.³⁸

Dio, expressing his democratic inclination, is highly critical of the fact that, in Tarsus, wealth was the only criterion of citizenship³⁹.

However, Dio's remarks also indicate how the citizenship of Tarsus would have been understood during Paul's lifetime and, of even more importance for our study, how the citizenship of Tarsus would have been understood by those who read Luke-Acts. Tarsus was a major city and one had to possess at least moderate wealth to be considered for citizenship.

Tarsus' apparent affluence is alluded to again by Philostratus who writes, "τρυφῆς τε γὰρ οὐδαμοῦ μᾶλλον ἄπτονται"⁴⁰. The gulf which separated those who could enjoy the wealth of the city from the large number of linen workers and craftsmen who lived in relative poverty must have been large indeed. Although, at this stage of the discussion, many questions remain concerning Paul's alleged status in Tarsus, suffice it to say that to claim the citizenship of Tarsus in the middle decades of the 1st century was a social distinction of no small degree.

Jews in Tarsus

According to H. Böhlig, there had been Jews in Tarsus from the time of Antiochus IV, Epiphanes (171 B.C.)⁴¹. Böhlig assumes that Antiochus

IV, following the precedent of Seleucus I and Antiochus II who gave Jews civic rights in other cities, presented Jews in Tarsus with the same liberal rights and protections⁴². Hence, to Böhlig, Jews were full standing citizens of Tarsus from the founding of the city. Although there is no evidence to prove Böhlig wrong, there are two immediate problems which count against Böhlig's description. First, and most importantly, since Böhlig's study, it has been shown that in the other cities of the Graeco-Roman world certain civic right possessed by the Jews did not constitute full citizenship⁴³. Rather, Jews held a middle status. They were better off, in most cases, than the non-Greek inhabitants (οἱ ξένοι) but they did not, as a group, have the same status as Greek citizens. Secondly, it is important to note that Antiochus IV's program of Hellenization in Jerusalem caused bitter opposition.

Antiochus Epiphanes holds a particularly notorious status in the history of Jewish literature being described as the worst tyrant in history (Dan. 11:36). One can only wonder if law-abiding Jews in Tarsus would have accepted the citizenship which would have required certain obligations in terms of service to the local gods and participation in education and civic festivals. In other words, it cannot be assumed that Jews could have possessed the citizenship on equal footing with the Greek inhabitants without to some extent compromising their Jewishness. This observation is crucial to our overall study. That Jews held a middle status in the Greek cities during the time of Roman occupation is acknowledged by most scholars of the Graeco-Roman period and would seem to have obvious implications for the portrayal of Paul in Acts. However, as far as we can tell, those interested in the portrayal of

Paul in Acts have not fully appreciated the evidence.

Citizenship in the Greek cities was not simply acquired by everyone upon birth in a given locale. Rather, citizenship throughout the Greek cities of the Empire was earned, bought, or inherited. Becoming a citizen of a πόλις " depended upon hereditary possession of citizenship, or on a special grant, honorary or otherwise by the city authority... but citizenship still remained an exclusive privilege which could not be obtained automatically or as a matter of course"⁴⁴. Full citizenship in a Greek city was reserved, even in the city of Tarsus which was known for its love of luxury, for those of landed wealth and was a mark of status that many longed for but few achieved.

At this point two critical questions are raised which have great significance to our overall concern. Firstly, what was the probability that Jews were citizens of Greek cities? Secondly, what was the probability that Paul was a citizen of Tarsus? E.M. Smallwood calls Jews who coveted Greek citizenship "modernists" and those Jews who paraded their Hellenization "no better than apostates"⁴⁵. Although Smallwood's view should not be accepted without further discussion, her insights should not be dismissed too quickly either.

The traditional portrait of the Jews based on the classical literature as world-haters and anti-social separatists has come under constant attack⁴⁶. Many scholars today reject the traditional simplistic definition that Jews separated themselves from all forms of Hellenization⁴⁷. Furthermore, the evidence seems to suggest that there were Jews who were both conscious of their religious identity and also at home in the Hellenistic environment. J. Goldstein, in his study on Jews in the Diaspora argues that far from distancing themselves from

Hellenization, many Jews welcomed the Greek influence and actively sought assimilation without consciously intending to reject their Judaism. Goldstein goes so far as to argue that since the Torah had nothing specifically to say about much of what is considered Hellenistic culture, Hellenization did not threaten Jewish identity⁴⁸. While all this may be true, it is interesting to observe that Goldstein himself wants to maintain that participation in the gymnasium and unlimited association with Greeks in terms of religious celebrations would have been acknowledged as taboo by strict Jews⁴⁹.

The important work of A.T. Kraabel and the even more recent study of the evidence by P. Trebilco have shown that, at least in Sardis, Goldstein's thesis does not go far enough⁵⁰. In Sardis in Lydia, the remains of a late 3rd century synagogue have been uncovered⁵¹. The synagogue, which had been before its remodelling a judicial tribunal for the city, was an integral and prominent part of a bath-gymnasium complex. This proximity of the synagogue to the bath-gymnasium is, in the words of Trebilco, "completely unparalleled in the ancient world."⁵² Kraabel, in his work described the large colonnaded forecourt and the public hall that could hold 1,000 people⁵³. Moreover, 80 inscriptions, many of which recorded donations to the synagogue, were discovered. Often, but not always, these inscriptions include the title "Σαρδιανός", which Kraabel takes to mean "citizen of Sardis". Eight others indicate that the person was a member of the city council (βουλευτής). There is even one office holder mentioned: Aurelios Basileides who was a "former procurator" (ἀπὸ ἐπιτρόπου), an official of the provincial governor responsible for collecting revenues. As Trebilco points out, the procurator was, strictly speaking, a personal agent of the emperor and

was often an imperial freedman.⁵⁴ A.T. Kraabel, one of the excavators of the synagogue, wrote that here is "a Jewish community quite integrated into the social, economic and political life of a major Anatolian city... Nothing in the archaeological or epigraphical evidence would suggest exclusiveness of any kind; they participate fully in the community life."⁵⁴ Trebilko accepts these conclusions and wishes to extend the thesis and suggest that the Jews of Asia Minor were fully integrated in the life of their cities. He offers two late 3rd century inscriptions from Acmonia in Phrygia which tell of two Jewish men, Aurelios Phrugianus and Tiberius Flavius Alexandros, who held numerous civic positions in that city⁵⁵. Furthermore, Trebilko uses Paul as evidence for this general Jewish assimilation.

This evidence does indeed call into question the traditional consensus that the Jews of the Diaspora were forced either to assimilate and thereby apostatize, or seek to remove themselves entirely from the life of their cities in order to maintain cultic purity. However, just as one can no longer contend that all Diaspora Jews sought to erect protective walls around their faith, neither should one go to the opposite extreme and say that all Jews, in all places, became fully involved in all aspects of the social and political life of their city. The diversity of Judaism both before and after the destruction of the Temple is far too complicated to allow for an uncritical acceptance of either position.

We prefer to take a middle course. While admitting that there were some Jews who could comfortably balance their faith with their secular life, the literary evidence should not be totally ignored. Furthermore, what is strict Judaism to one group is not necessarily strict Judaism to

another. One only has to remember that the compilation of the Mishna is going on at the same time as these liberal Jews are living in Sardis. While important, the late dating and the very uniqueness of the Sardis evidence should be kept in mind. Perhaps the Jewish community that worshipped at that magnificent synagogue represents the exception that proves the rule. Furthermore, all the evidence presented comes from the late 3rd century. It had been at least 50 years since Caracalla's edict included just about every free male within the empire as Roman citizens. Aurelios Basileides and Aurelios Phrugianus most likely took their names from the Emperor when they or their ancestors became citizens. It is not necessarily the case that the condition of the Jewish communities in a city as far west as Sardis, 200 years after the destruction of the Temple and over one hundred years since Hadrian had renamed Jerusalem Aelia Capitolina, represents the condition of Diaspora Judaism in cities which were to the far east of Sardis at the end of the first century A.D. In other words, there are major historical and geographical issues to be decided.

Moreover, one should not necessarily assume that all the names on the inscriptions are Jewish. There were pious non-Jews who had given to that synagogue as well. The fact that the city gave the building to the Jews suggests non-Jewish support for this endeavor. Even if all the names on the inscriptional list of donors were Jewish only some of them note that they were "Σαρδιανός". We are not totally convinced that this designation necessarily implied full citizenship status. As we will show below, some of the Jews of Alexandria called themselves "Ἀλεξανδρίνος" without possessing citizenship. Yet even if all the Jews who call themselves Sardinians were citizens of that town, this

only serves to substantiate our contention that Jews who possessed the citizenship of their city were in the wealthy minority of their fellows. This evidence also seems to demonstrate our contention that Jews, as a group, were not automatically included in the citizenship. If they were, why make mention of it on the inscription? Again, further discussion will follow below.

While some Jews would have been able to maintain a dual identity, not all Jews would have been as open to Hellenistic pressures. One can safely assume that just as there are varying degrees of orthodoxy in present day Judaism and in the Judaism of Jerusalem in the days of Jesus and Paul, so too can it be assumed that Judaism of the Diaspora was varied in its expression. Our contention, which must be tested, is that the more likely it is that Paul was of a Pharisaic family the less likely it is that he inherited full citizenship of Tarsus.

A city's municipal life was intimately connected to its cultic celebrations because Greek religion, as is commonly acknowledged, embraced politics. In the words of H. Böhlig, "Religion und bürgerliches Leben hängen in jener alten Zeit noch eng zusammen"⁵⁶. Each Greek city had its tutelary god or goddess and recognition of the deity was fundamental to civic identity. The importance of Pallas Athene to Athens is well known and documented. Aristophanes in the 5th century B.C. acknowledged Pallas' primacy⁵⁷ and Aelius Aristides in the 2nd century A.D. used similar language in his speech to the Panathenaic festival⁵⁸.

An inscription, found in Eretria (308 B.C.), commemorating the departure of the Macedonians from the city, is illuminating for our discussion in that it acknowledges the fundamental connection between

civic and religious celebrations:

ὁ ἱερεὺς τοῦ Διονύσου θεόδοτος θεοδώρου καὶ οἱ πολέμαρχοι
Σωσίστρατος Πρωτομένου, Αἰσχύλος Ἀντανδρίδου, Ἰθαιγένης
Αἰσχύλου εἶπα(ν) ἐπειδὴ τῇ πομπῇ τῇ Διονύσου ἢ τε φρουρὰ
ἀπῆλθεν ὁ τε (ο) δῆμος ἡλευθερώθη καὶ τοὺς πλατ(ρί)ους
[νό]μους καὶ τὴν δημοκρατίαν ἐκομίσατο. ὅπως ὑπόμνημα τῆς
ἡμέρας ταύτης ἢ ἐδοξεν τῇ βουλῇ καὶ τῷ δήμῳ, στεφανηφοπεῖν
Ἐρετρίεις πάντας καὶ τοὺς ἐνοικοῦντας κιττοῦ στέφανον τῇ
πομπῇ τοῦ Διονύσου τοὺς δὲ πολίτας λαβεῖν τοὺς στεφάνους ἐκ
τοῦ δημοσίου ἀπομισθοῦν τε [τὸν ταμί]αν τοὺς (σ)τ[εφ]λάνους
ἐπάρχεσθαι δὲ τοὺς χοροὺς (κατὰ τὰς χορ)είας τὰς τῷ Διονύσῳ
ἵσταμένας οἶνον καταπεμπόμενον ὑπὸ...⁵⁹

Another crucial consideration is the identification and differentiation of both citizens (πολίτας) and inhabitants (ἐνοικοῦντας) in the city. The declaration invites all persons residing in Eretria to join the celebration. However, only the citizens will receive their garland at the public expense. Most likely the cost of an individual garland was not high; nevertheless, an important distinction is made: all inhabitants were not citizens, even though Eretria is considered a democracy. In light of this fact, one cannot assume that because Tarsus was founded as a democracy all inhabitants were automatically given the citizenship.

One hardly need mention the significance of the cults of the Greek kings and later of the Roman Emperors in the life of cities throughout the Graeco-Roman world⁶⁰. The religious festivals and associations were fundamental to every Greek city and even the most skeptical citizen would acknowledge the cultic significance of such religious celebrations⁶¹. Considering Greek education, religion and athletic celebrations, it seems highly unlikely that a Jew who prided himself on following the strict Pharisaic interpretation of Torah would also seek citizenship or boast of its acquisition⁶².

Paul's claim, in Acts, that he was a citizen of Tarsus must be seen in context of the larger discussion concerned with the civic rights and

privileges of Jews throughout the Diaspora. Although the status of Jews in the Diaspora has been discussed in detail by numerous historians this century, the conclusions have not, as a rule, been appropriated by those who study the portrayal of Paul in Acts.

Essentially, the issue of Jewish political and civic rights in Greek cities of the Diaspora is a complicated one; yet, the evidence does show that entire Jewish communities, in Greek cities, did not possess full citizens' rights as members of the πόλις⁶³. Smyrna, for example, granted citizenship to all persons living in Magnesia, "provided they are free and Hellenes"⁶⁴. In most ancient cities of Phoenicia, Syria, and Asia Minor, as in Greece itself, immigrant Jews occupied the position of non-citizen aliens⁶⁵. That Jewish religious observances were protected and that Jews in many cities did possess a civic status which gave them certain privileges may be true. However, civic recognition and religious freedoms do not necessarily imply full citizenship.

Traditionally those who believed that Jews did possess the citizenship of many of the major Greek cities have relied upon the evidence of Josephus. In a number of places Josephus reports that Greek citizens of several cities attempted to limit certain of the Jewish privileges. In these accounts, as reported by Josephus, language is used which would seem to suggest that the Jewish inhabitants in the cities of Alexandria, Antioch, Ionia and Sardis had equal and full citizenship status as well as certain exemptions that apparently exempted the Jews from religious and cultic observances of the city and protected their rights to worship according to their own customs. For example, Josephus reports that the Greek citizens of both Alexandria and Antioch sought to have the long-standing protected citizen status of the

(ὥστε
Jews revoked τὰ δίκαια τὰ τῆς πολιτείας μηκέτι μένη τοῖς Ἰουδαίοις)⁶⁶. Likewise, Josephus offers an account of the petition from the Ionians to Marcus Agrippa, requesting that they alone, and not the Jews, should enjoy the benefits of citizenship (πολιτείας)⁶⁷. The petition insists that if the Jews desired to be their fellows (συγγενεῖς), they should worship the Ionian gods (σέβεσθαι τοὺς αὐτῶν θεούς). Here, Josephus seems to be implying that the Ionians wanted to revoke Jewish citizenship, which they had been granted, because they did not worship the gods.

The account of the same event in a later book of Antiquities is enlightening for a proper understanding of what actually took place⁶⁸. In this second, more detailed report it is the Jews who appeal to Marcus Agrippa, not the Ionians. The Jews claim that they had been denied the protection which had been granted to them. They had been deprived of the monies sent as an offering to Jerusalem, and they had been forced to participate in military service and civic duties (στρατεῖων καὶ λειτουργιῶν) which was not in accordance with their own laws⁶⁹. What is at stake, as indicated in the speech of Nicolas of Damascus, who was the advocate for the Jews, is the protection of religious observances and maintenance of traditional customs - not citizen rights. The Jews were resident aliens, not full citizens, who, relying upon Roman protection, sought to improve their status!⁷⁰ It seems as if Josephus' concern to emphasize the high status of Jews throughout the Diaspora and the Roman protection of Jewish civic rights led him to confuse the terminology of citizenship.

In another place, Josephus notes the decree of Sardis which begins: ἐπεὶ οἱ κατοικοῦντες ἡμῶν ἐν τῇ πόλει ἀπ' ἀρχῆς Ἰουδαῖοι πολῖται...⁷¹.

W.W. Tarn remarked that the juxtaposition of οἱ κατοικοῦντες and πολῖται was a contradiction in terms and believed that πολῖται was "a self-evident" interpolation⁷². Incidentally, Tarn was adamant in his insistence that Paul was not a citizen of Tarsus!⁷³ That Jews in Sardis had civic rights as κατοικοῦντες is probable; that they possessed the full citizenship as Greek citizens is less certain.

Likewise, the evidence of Josephus concerning the Jews of Antioch is problematic. V. Tcherikover points out that there is no irrefutable evidence outside of Josephus that fully substantiates Josephus' claim that Jews possessed the citizenship of Antioch or of any other Greek city in the first century. Moreover, the privileges that Josephus alludes to could equally refer to the privileges and protection of the immigrant community⁷⁴. The status of the Jewish community in Alexandria has been the source of much discussion. Both Josephus and Philo use language that would seem to indicate that Jews possessed full citizenship of the city although, almost without exception, scholars of this century have concluded that they did not, in fact, possess equal status with the Greek inhabitants⁷⁵. The issues have been discussed in detail by so many that a full analysis would be redundant⁷⁶. However, the results of the scholars who have studied the evidence are so important to our question of Paul's status in Tarsus that a brief summary of the conclusions must be noted.

Firstly, Josephus would like to claim that Jews had been given the citizenship of Alexandria by Ptolemy ⁷⁷. Furthermore, Josephus alleges that Caesar had reiterated these rights by engraving them upon bronze tablets⁷⁸. However, as the edict of Claudius makes clear, Jews were not full citizens⁷⁹. Claudius differentiates the Alexandrians (Ἀλεξανδρεῖς

μέν) from the Jews (Ἰουδαίοις δέ) and speaks of the Jews as living "in a city not their own" (ἐν ἄλλοτρίᾳ πόλει)⁸⁰. When Josephus, in his admitted paraphrase of the edict, uses the term "equal civic rights" (ἴσης πολιτείας)⁸¹, he may in fact be referring to a recognition of the Jewish community as an autonomous ethnic community (πολίτευμα) that would have basic rights and protections without possessing the citizenship of the city.

Secondly, that Jews lived in Alexandria from the beginning may be the case but that fact did not necessarily entitle them to citizenship. Jews may have been regarded as Alexandrians in that they resided in that city but they were not necessarily Alexandrian citizens in the formal sense of citizenship. A papyrus dating from the reign of Augustus offers an important example. The Jew who petitioned the Roman governor Gaius Turannius called himself an Alexandrian. However a second hand has corrected that claim to read "a Jew from Alexandria". A clarification has been made to clear up any ambiguity of status⁸². Likewise, it is interesting to note that Josephus reports that Apion is astonished at the idea of Jews being called "Alexandrians"⁸³. Apion's surprised response indicates that Jews did not have a legal basis for such a designation.

Thirdly, what the evidence seems to suggest is that Jewish communities in Alexandria, and other Greek cities throughout the Mediterranean world, were recognized as a specific ethnic group which had their particular religious customs protected by law. Jews, like other ethnic groups in the cities of the Diaspora, formed semi-autonomous civic organizations called πολιτεύματα⁸⁴. Each πολίτευμα was a corporation of aliens with the right of residence in the city.

Furthermore, it was a quasi-autonomous civic organization with administrative and judicial powers over the community. In short, the *πολίτευμα* became the focus of civic, religious and ethnic identity. The evidence indicates that there was a *πολίτευμα* of Caunians at Sidon, of Phrygians in Alexandria and foreigners of unknown nationality at Cos⁸⁵. The Papyri collection of the Berlin Museum records that the Jews of Alexandria had their own Jewish record office⁸⁶. The Jews at Berenice in Cyrenaica⁸⁷ formed a *πολίτευμα* as did the Syrians and Jews of Seleucia-on-Tigris⁸⁸. Furthermore, in Acts 18:12, there is evidence that the Jews maintained legal jurisdiction in certain matters in Corinth as the Proconsul Gallio insists that the Jews take care of the case against Paul (Acts 18:15).

Fourthly, the Jews in the Diaspora cities, because of their protected status, were relatively privileged compared to the majority of inhabitants but they were not recognized as citizens. 3 Macc.2:30 reflects the "almost but not quite" citizen status of Jews. It reports that if the Jews wanted to return to their former restricted status then they would be branded by fire with the sign of the ivy leaf, the emblem of Dionysus. But if they wanted to worship the gods they would be treated as full citizens. What appears to be the case is that the Greek citizens of Alexandria and, as mentioned above, Antioch and Ionia as well, were concerned that the Jews were attempting to put on airs of citizenship while maintaining their special protected status. That Greek citizens of Alexandria, but not Jews and Egyptians, were exempt from the *laographia* of Augustus is further evidence that Jews did not, as a ethnic group, possess the citizenship of the city⁸⁹.

Strabo, providing evidence from a city other than Alexandria,

identified four groups of residents in Cyrene: the citizens of the city (τῶν πολιτῶν), the farmers (τῶν γεωργῶν), the resident aliens (τῶν μετοίκων), and then the Jews (τῶν Ἰουδαίων) (my emphasis)⁹⁰. S. Applebaum, who has recently studied the evidence concerning the Jews in Cyrene, writes that the timocratic constitution strongly favoured the upper income groups, "revealing a pronouncedly conservative prejudice against craftsmen, traders and other non-landholding elements... clearly, the Jewish settlers would not easily have obtained Cyrenean citizenship, or the right to acquire land in the city's territory."⁹¹ These comments about Cyrene are interesting in that they coincide with Dio Chrysostom's remarks about prejudice against linen workers in Tarsus⁹². One must assume that the Jews of Tarsus would not have held a higher status than the Jews of almost every other city in the Empire. It is apparent that the terms πολίτης (citizen) and πολιτεία (citizenship) are ambiguous and were used either to identify full members of a Greek πόλις or to identify members of one of the πολιτεύματα⁹³. It is interesting to note that in Philippians 3:20, Paul uses the word πολίτευμα, not πολιτεία to describe the community that Christians will have in heaven. F. Lyall is confident that the use of this term indicates Paul's Roman citizenship⁹⁴. We believe this is hardly likely and it is more probable that the word used by Paul reflects a knowledge of the ethnic grouping of a πολίτευμα.

Although there is scant evidence concerning the life of the Jews in Tarsus, we would have to conclude, based on the evidence of the status of the Jew in Ionia, Alexandria, and Cyrene, that the Jews of Tarsus did not possess citizenship as a group. Hence, the claim attributed to Paul in Acts places him among a significant minority of Jews who possessed

the citizenship.

We have attempted to argue that most Jews would not have the full citizenship of their city and would most probably have achieved whatever protection they had as members of the Jewish πολιτεῦμα. However, this is not to deny that some Jews aspired to and achieved the citizenship of the Greek cities of the Diaspora in which they lived. For example, we know that Philo's nephew Tiberius Julius Alexander was a Greek citizen, although Josephus is critical of him for forgetting the laws of the fathers⁹⁵. We do not know if Philo himself was a citizen of Alexandria. Dositheus, son of Drimylus, mentioned in 3 Maccabees 1:3, was a Jew by birth who later renounced the law, abandoned his ancestral beliefs and became a citizen. Antiochus, who obtained Greek citizenship and held a magistracy, denounced his father, a member of the gerousia of the Jewish community in Antioch, and other Jews to the Greek assembly for allegedly plotting to set fire to the city⁹⁶.

Although it cannot be correct that all Jews who gained the citizenship were as infamous as Tiberius, Dositheus and Antiochus, our contention here is that only a minority of highly hellenized and presumably wealthy Jews possessed the citizenship and appreciated the status and prestige commensurate with the honour⁹⁷. For example, an inscription from Smyrna, from the reign of Hadrian, lists a number of citizens who had made benefactions to the city. Mentioned in the inscription are οἱ ποτὲ Ἰουδαῖοι. Obviously there had been Jews who had apostatized to become citizens⁹⁸.

In summary, the evidence indicates four important points. 1) Citizenship in the Greek cities, including the citizenship of Tarsus, was not held by everyone. Possession of citizenship was a distinction

of no small degree and was jealously guarded. 2) Jews, as a whole, did not possess full citizenship (πολιτεία) of the Greek cities in the Diaspora. In general Jews gained their civic recognition and religious protection as part of the Jewish πολιτεύμα in the city. While Jewish customs and religious rites were recognized and protected, this status should not be equated with full citizenship. 3) Those Jews who did obtain citizenship can hardly be called strict Pharisaic Jews. They might have perceived themselves as loyal to Judaism and in some cases they might still have participated in Jewish ceremony. However, it would be exceedingly difficult for a strict, law-abiding Jew to take on citizenship with its corresponding obligations. 4) Tarsus was indeed "no mean city". It was the premier city of Cilicia and one of the foremost cities of the Mediterranean. To claim citizenship of a renowned city such as Tarsus was an indication of personal standing and prestige.

In light of these conclusions, several important questions are raised about the Lukan portrayal of Paul. How does Paul's claim of Tarsian citizenship coincide with his strict upbringing in a Pharisaic family? Furthermore, how does Paul's pride in his citizenship coincide with his statement that he was raised in Jerusalem (22:3)? How does Paul's assertion that he possessed the citizenship of Rome shape the overall portrayal of Paul in Acts? These questions will be discussed in more detail in later sections of this chapter. At this juncture of the study our suggestion that Luke portrayed Paul as a man of social prestige in order to fulfill a social apologetic intention is not without merit.

Paul The Roman Citizen 22:25, 7, 8

To the reader of the first century an even more dramatic example of

Paul's status is contained in his response to the centurion with regard to his impending examination under the lash (ἡ μάστιγος; Lt. *flagrum* or *flagellum*). While Paul is being secured, he makes a startling declaration: he is a Roman citizen. The lash was used on slaves and non-Roman troublemakers in order to force a confession. According to the *lex Julia*, it was illegal to beat a Roman citizen, although as we will show in chapter 5 this exemption was not always enforced. Most commentators focus their attention upon the legal issues involved with the text and discuss this scene in relation to Acts 16:37 which relates the story of Paul's and Silas' experience in Philippi. The various issues concerned with a Roman citizen's legal rights are complicated yet crucial to our overall argument. Therefore, those scenes in Acts where Paul assumes legal privileges and appeals to the court of the Emperor will be discussed in full in chapters 5 and 6. At this point it is sufficient to say that Paul's Roman citizenship saves him from a thrashing and places those in authority in an uncomfortable position.

The subsequent dialogue between Paul and the Tribune, who is a man of high military rank and a Roman citizen as well, reveals the Lukan interest in describing Paul as a man of high social standing. An explicit status comparison is being made which would be obvious to the audience of Acts. Paul's claim that he was a Roman citizen by birth is neatly contrasted with the Tribune's embarrassed revelation:

ἐγὼ πολλοῦ κεφαλαίου τὴν πολιτείαν ταύτην ἔκτησάμην (22:28)

Most astute commentators discuss the import of the Tribune's confession. During the reign of the Emperor Claudius (45-54 C.E.), there seems to have been a traffic in Roman citizenships, thereby lowering the prestige of this honour²⁹. The name of the Tribune is

Claudius Lysias (23:26) and it is most likely that he acquired his citizenship during Claudius' tenure. It was customary to honour the one from whom the citizenship came by taking his name, in much the same way a freedman would adopt the pronomen of the one who freed him. Dio Cassius comments that during Claudius' first years as Emperor, a potential citizen might offer large sums (μεγάλων χρημάτων) to an official in order to buy his influence, but that later anyone bringing "even a broken piece of glassware" might become a citizen¹⁰⁰. Certainly Dio is exaggerating the apparent devaluation of Roman citizenship, yet his point is clear. It is important to note here an interesting textual variation. The Latin recension of Codex Bezae (δ) expands the verse at this point and the ensuing interpretation is that the Tribune was sarcastically remarking that citizenship was so cheap even one the likes of Paul might obtain it¹⁰¹. Hence, on the one hand the interpretation of the neutral text (Nestle-Aland xxvi) implies that Claudius Lysias acquired his citizenship during what Dio Cassius described as the early period while, on the other hand, δ presumes to recognize the devaluation of citizenship. Regardless of the text used, that Lysias was willing to pay a great sum for the citizenship indicates just how much of a status symbol it was. Likewise, that Paul was born a Roman citizen is an impressive and prestigious assertion. As H. Cadbury so aptly concludes:

The phrase merely indicates the usual but illogical preference of human nature for rank obtained by inheritance rather than purchase.¹⁰²

What Cadbury and most others commentators fail to perceive is that Luke, throughout the last eight chapters of Acts, stresses this "usual but illogical" concern for status in the narrative. Obviously, to the Centurion and to the Tribune, Paul's status as an inheritor of a Roman

citizenship caused immense embarrassment. In this scene Luke juxtaposes the Roman Tribune, the chief executive of Roman authority in Jerusalem directly responsible to the Procurator at Caesarea, with Paul who is hardly an Egyptian terrorist. Recognizing that, to a large degree, the issue of Paul's status and prestige is in the forefront of this scene, it is important to investigate how Paul's claim would have been perceived.

What is also of interest in this scene is that Lysias is a tribune which was a rank of significant status. In both the legion and auxiliary, possession of Roman citizenship was a prerequisite for attaining the rank of tribune¹⁰³. Aside from the prestige of the rank, a legionary tribune received more than sixteen times the amount in wages of a common soldier. Moreover, after the middle of the first century, the position of tribune of a cohort was a prerequisite of the entire *cursus honorum*, although before this time the rank of tribune was often filled by veteran centurions¹⁰⁴. Holding the rank of Tribune made entering the equestrian order a possibility. What is odd is that a tribune would admit to his having bought the citizenship!

The issue of Jews possessing the citizenship of Rome is less problematic than possession of the citizenship of a Greek city. For citizens outside Rome there were few obligations. Aside from the social status associated with the citizenship, there were few practical advantages¹⁰⁵. Philo writes that there were numerous Jews in Rome who had been brought to the city as slaves and who, when manumitted, became citizens¹⁰⁶. Josephus claims that Jewish Roman citizens were exempt from military service¹⁰⁷ and reports that there were Jerusalem Jews who were also members of the *ordo equester*¹⁰⁸. Acts makes mention of a

Synagogue of freedmen (Λιβερτίνων) in Jerusalem (6:9) who were, most likely, Roman citizens. An inscription (AD. 24) listing the names of subscribers to the repair of the Synagogue in Berenice, makes mention of Marcus Laelius Onasion who was given the title of ἄρχων of the Jewish πολιτεύμα¹⁰⁹. The editors of the revision of Schürer (henceforth Schürer¹¹⁰) are convinced that Marcus is Jewish, but the possibility must be left open that he is a pious gentile who made a benefaction to the Synagogue. Hence, in this case, ἄρχων is an honorary title not an actual office¹¹⁰. Herod Antipater and his son Herod were Roman citizens¹¹¹ and Josephus asserts that he was granted the citizenship personally by Titus¹¹².

Unfortunately, Luke does not relate how Paul's father (grandfather?) acquired his citizenship, if indeed he ever knew himself. The advice of most Acts scholars is that speculation is fruitless¹¹³. While we would certainly agree that the matter of Paul possessing the citizenship of Rome is enigmatic, we would disagree that speculation concerning how Paul obtained his citizenship is fruitless. Understanding how a Jew, who allegedly was a citizen of Tarsus, also received the citizenship of Rome can help uncover the impression that Luke was trying to convey to his readers. While we can not hope to find the historical tradition behind the account of Paul's citizenship in Acts, we believe that we can seek to understand Luke's purpose for describing Paul as he does. All along we have stressed that Luke was more concerned to give an impression rather than to offer, in every instance, exact biographical and historical data.

There were three legally recognized ways in which a Jew of the Diaspora might have received the Roman citizenship. 1) Paul's

forefathers might have served in the army of Rome. 2) One of Paul's direct ancestors might have been a freed slave of a Roman citizen receiving the citizenship when manumitted. 3) Paul's nearest kin might have been given the citizenship as a personal gift as a reward for special service rendered.

It is unlikely that Paul's forefathers received the citizenship from serving in the Army. Although Josephus and the writer of I Maccabees report that Jews served in the army of the Ptolemies and Seleucids, Josephus is adamant in pointing out that Jewish Roman citizens were released from their military obligation in the Roman legions and auxiliary forces. In 49 B.C. Lucius Lentulus exempted Jewish Roman citizens in Ephesus and later throughout Asia. The decree, as written in Antiquities, is as follows:

πολίτας 'Ρωμαίων 'Ιουδαίους, ἱερὰ 'Ιουδαϊκὰ ἔχοντας καὶ ποιοῦντας
ἐν 'Εφέσῳ, πρὸ τοῦ βήματος δεισιδαιμονίας ἐνεκα στρατείας ἀπέλυσα
πρὸ δώδεκα καλανδῶν 'Οκτωβρίων Λευκίῳ Λέντλῳ Γαίῳ Μαρκέλλῳ
ὑπάτοις¹⁴.

Dollabella (43 B.C.) renewed the privilege¹⁵. Evidently this exemption extended throughout Asia Minor¹⁶. In the words of Schürer¹⁷, "Jewish Sabbath and Roman discipline were irreconcilably opposed"¹⁷. Yet given the pro-Roman emphasis throughout Antiquities, one wonders if Josephus is speaking of an exemption made by the Romans out of respect for Jewish custom or if Josephus' account does not indicate that the Romans realized that trying to raise and discipline an army made up of Jews was pointless. S. Applebaum has made a similar observation:

Roman army life revolved extensively round the ruler cult, the consecrated standard and the *auguria*; this and the constant tension between the Jews and the Roman power, made Jews as reluctant to enlist as it made authorities reluctant to accept them¹⁸.

In any case, Professor Smallwood has concluded that the number of Jews included in such a decree would have been "infinitesimally small"¹¹⁹.

A more likely explanation of how Paul acquired the citizenship is that his ancestors received the citizenship of Rome through manumission¹²⁰. There were three formal methods of manumitting a slave which would lead to an automatic grant of citizenship. These three methods were by rod (*vindicta*), census (*censu*) and by will (*testamento*). Being freed by the rod was a ceremony performed before the praetor, or other competent authority. Being manumitted by census could be achieved only when the censor was in office registering the number of citizens. Being freed by will was the most popular as the master kept the slave throughout his own life and left the expense and formalities of freedom to the heirs. Apparently there were so many slaves being freed by one of these three methods that Augustus passed legislation intended to lessen the flow of slave/citizens into the Empire¹²¹. If there is truth to the tradition behind Acts that Paul was a Roman citizen then it is most likely that Paul inherited the citizenship because his parents or grandparents had at one time been slaves and subsequently manumitted.

However, two important points are raised which have bearing upon the portrayal of Paul in Acts. Firstly, a Roman citizen of slave origin carried the name of his master who had released him and the stigma of slavery remained for much longer than one generation. We believe that the biographical details Luke provides are part of an overall constructive argument that runs throughout the last eight chapters emphasizing Paul's high social standing and moral virtue. As is well known and often observed, Luke makes it a point to show that Paul converts women and men of high social standing (17:4,12) and mentions

that Asiarchs are among Paul's friends (19:31). As the scene is set up in Acts, Paul's credentials are being compared with those of Claudius Lysias. Being descended from a slave family does not coincide with the total picture of Paul as a citizen of high standing.

Secondly, if Paul acquired the citizenship of Rome because of his parent's manumission from slavery to a Roman citizen, it does not necessarily follow that Paul would have also automatically gained the citizenship of Tarsus. Furthermore, being a slave of a Roman citizen seems to suggest that Paul's ancestors came from another location. This hypothesis would be supported by the tradition found in Jerome that Paul came with his family from Giscalis in Galilee¹²². This tradition would affirm Paul's Tarsian connection and better explain, as we shall see, Paul's Pharisaic ancestry. However, Jerome's tradition does not coincide with Paul's claim in Acts to have inherited the citizenship and it makes it almost impossible that Paul would have become a citizen of Tarsus. For these reasons, the account in Jerome is dismissed by most scholars¹²³. We believe that there may be more to the tradition found in Jerome than is usually recognized.

As stated at the outset of this chapter, that Paul's father was personally granted the citizenship is extremely unlikely given that only those who were of the most prominent families received the honour. As is well known, Rome attempted to cultivate the loyalty of the ruling classes in the provinces by granting to them rights and privileges. Caesar, it is reported, was generous in giving out citizenships, but most of these grants were given to wealthy individuals in Gaul and Spain, not in the East¹²⁴. Furthermore, even given Caesar's generosity, it was difficult for anyone without wealth and influence to obtain such

an honour. The propertied classes were the ones who benefited. E. R. Goodenough conjectures that if Paul's father had been given the citizenship personally, he must have received it under either Augustus or Tiberius which, to Goodenough, was "so unlikely as to be incredible". Paul's father would have had to have been of the "few great benefactors of the new regime"¹²⁵. Goodenough concluded, "If Paul had been born a citizen, then it would mean that he whom Acts itself calls a tentmaker by trade was from one of the greatest families in the East."¹²⁶

Those who would have been granted the Roman citizenship would have made up an inner aristocracy in the Greek cities. For only those families which had "raised themselves so conspicuously in the city by wealth or by high office or, as usually was the case, by both, [were] to be admitted into the governing class of the Empire."¹²⁷ Hence, although it is most unlikely that a strict Jew from Tarsus would have been among the governing elite to be given the Roman citizenship, this is, apparently, what Luke wishes to imply when he has Paul claim firstly, that he is a citizen of Tarsus and secondly, that he inherited the Roman citizenship¹²⁸.

It has traditionally been assumed that Paul's name is sufficient proof of Roman citizenship. However, a name alone tells little, especially so without the other names of the formal Roman *tria nomina*. W.Meeks, although he does not deny that Paul was a Roman citizen, has cautioned against such over-confidence that a name can tell us a person's status¹²⁹. Names can be of assistance in discussing one's social status only as a secondary piece of evidence - by them alone little is gained. C.E.B. Cranfield, in his commentary on Romans, has offered a short excursus on the issue of Paul's name.¹³⁰ He considers it unlikely

that Paul took his name from Sergius Paulus in Acts 13:9 although Jerome believed that this was the case¹³¹. Rather, Cranfield assumes that Paul was a Roman citizen and, therefore, had the formal *tria nomina* that consisted of the *praenomen*, or personal name, the *nomen*, or clan name and a *cognomen*, or family name. Likewise, the name Saul would have been Paul's *signum*, or *supernomen* - an unofficial, informal name. Although Paul is considered a "good" Roman name, Cranfield is correct to point out that "Had Paul not been a Roman citizen, it would have been natural to suppose that 'Paul' was simply a Gentile name possessed by him from childhood alongside his Jewish name Saul; for the use of a Gentile name in addition to a Jewish, particularly one more or less like-sounding, was by N.T. times a well-established custom among Hellenistic Jews."¹³² G.H.R. Horsley has recently compiled a table of those individuals in the New Testament who had a Jewish name and a Roman name. Besides Saul-Paul, there is John-Mark, Jesus-Justus, Symeon-Niger, and Josephus-Justus¹³³.

Sherwin-White, although he takes for granted that Paul was, in reality, a Roman citizen admits that;

Paul's double name is not proof that his family was enfranchised in his own lifetime. It is just a matter of local usage¹³⁴.

Furthermore, Sherwin-White points out that the phrase Σαῦλος δὲ ὁ καὶ Παῦλος (Acts 13:9) is more natural in a first generation citizen than in a member of a long established family¹³⁵.

Therefore, while the argument that Paul was a Roman citizen and possessed the *tria nomina* has become the consensus opinion, Cranfield himself points to the fact that it was fairly common for a non-Roman citizen to possess a Roman name. The Emperor Claudius decreed the

illegal use of the Roman *tria nomina* a capital offense¹³⁶. This shows, on one hand, that Rome wanted to protect the exclusive rights of its citizens. But, on the other hand, this evidence also shows that people in the Empire wanted to usurp privileges without pedigree and that some who possessed what sounded like a good Roman names were not citizens.

Luke knows and uses the name Saul until 13:9 but does not give any indication that he knew Paul's other Roman names if indeed he had those appellations. Furthermore, in his epistles, Paul uses only his non-Jewish name. Yet, it can be inferred that Saul was an appropriate name to give a Jew from Benjaminite descent. From the evidence it would seem that Paul was given two names, like many Jews of the diaspora, and hence, was simply and always called Saul-Paul. Therefore, one can argue that where Paul's mission extended to Gentile and Hellenistic areas the use of his name Paul would be to his advantage. One may have grave reservations, in view of the difficulties discussed above, about a theory based only upon the evidence in Acts that Paul was a Roman citizen and therefore possessed the Roman names.

The scenes described in chapters 21 and 22 vividly show Luke's interest in establishing beyond question Paul's status. Taken aback by the insult that he is an Egyptian troublemaker, Paul adamantly claims his credentials and Luke thereby serves notice to the reader that this Roman Tarsian and, as is shortly to be indicated, Pharisaic Jew is not to be taken lightly. It is of great importance that Luke establishes Paul's status early on in this final section as Paul lives out the programmatic prophecy of Jesus:

Men will seize you and persecute you; they will hand you over to the Synagogue and to imprisonment, and bring you before Kings and governors because of my name - and that will be your opportunity to bear witness. (Lk. 21:12-13)

Paul, from now until the end of Acts, will confront those of high social status and political prestige and Luke is making clear beforehand that Paul will never be at a social disadvantage.

Paul the Pharisee: 23:6

Although the Lukan Paul alludes to his Pharisaic upbringing in 22:3 when he claims that he grew up at the feet of Gamaliel, it is not until Paul appears before the Sanhedrin that he makes explicit that he is a Pharisee and a son of Pharisees. Most commentators note the dramatic shaping of this scene as Paul cleverly uses the theological animosity between Sadducees and Pharisees to bring a tumultuous end to the proceedings¹³⁷. Critical scholars, by and large, dismiss the historicity of the scene. Rather, they stress that Luke's main purpose was to demonstrate the "Gesetzestreue des Paulus"¹³⁸.

Despite Paul's claims in Acts that he was raised in Jerusalem and trained as a Pharisee (22:3, 23:6, 26:5), and his statement concerning his former allegiance to the Pharisaic school in his Philippian correspondence, there is significant disagreement concerning the exact nature of Paul's Pharisaic background. H. Böhlig, as noted above, contended that Paul spent most of his youth in Tarsus and was naturally and unconsciously influenced by Greek philosophical models. Böhlig acknowledged the tradition that Paul was taught by Gamaliel. However, Böhlig was intent on showing that Paul could best be understood in the light of the Hellenistic environment of his youth¹³⁹. The early experiences in Tarsus, moreso than the teaching of Gamaliel, were fundamental to Paul's later theology.

C.G. Montefiore, in his book Judaism and St. Paul, dismissed Paul's

claims altogether. He concluded that "Paul was no rabbinic Jew"¹⁴⁰. To Montefiore, Paul developed in the Judaism of the Dispersion, "which was colder, less intimate, less happy because it was poorer and more pessimistic"¹⁴¹ than that of Palestine. M.S. Enslin insisted that Paul spent little time in Jerusalem, was not raised at the feet of Gamaliel, and showed no signs of true Pharisaic training¹⁴². An even more critical outlook has recently been presented by H. Maccoby who, following the tradition of the anti-Pauline Ebionite sect, asserted that Paul was not born a Jew but rather converted to Judaism¹⁴³.

In the first half of the century, this kind of outlook was forcefully rebutted by A. Schweitzer who interpreted Paul's teaching in light of Jewish apocalyptic literature¹⁴⁴. In Schweitzer's study on the interpreters of Paul, he stressed that the Hellenistic influence should not be overestimated. To those scholars who assumed that Paul could not help but "breathe in" the language and values of Hellenistic Tarsus, Schweitzer responded:

But just as large a place might be claimed for the contrary argument which would lay stress upon the exclusiveness of strictly Jewish circles of the Diaspora in regard to Greek culture by which they were surrounded¹⁴⁵.

It must be admitted that Schweitzer, like most of the scholars of his day, perceived Judaism, by and large, to be a strict separatist movement throughout the Diaspora. This simplistic outlook can hardly be supported today. Yet, we believe that Schweitzer's comment should be taken seriously in the light of Paul's claim to be a strict Jew and "according to the Law a Pharisee" (κατὰ νόμον Φαρισαῖος Phil. 3:5).

The one distinguishing peculiarity of the sect of the Pharisees, agreed to by all the sources, is that they set themselves apart as

champions of the oral law and developed a highly intricate concern for cleanliness¹⁴⁶. We shall assume, for the time being, that a strict Jewish group, like the Pharisees in the Diaspora, would be concerned to keep their distance from the encroaching cultural pressures¹⁴⁷. We are not here arguing that all Jews maintained their separateness, for this is clearly not the case. Our argument, at this point, only assumes that there were some strict Jewish groups, and perhaps, Pharisees in the Diaspora and that they would live in observance of a strict interpretation of Torah. We will have cause to discuss this complicated issue below in Appendix 1.

Another scholar who took Paul's Pharisaic Judaism seriously was W.C. Van Unnik. In his little book, Van Unnik argued that Paul, as Acts reports, was born in Tarsus but moved to Jerusalem at an early stage in his childhood. Van Unnik was self-consciously debating the consensus of his age which placed Paul in Tarsus for a much longer period of time in order for him to acquire his alleged fluency with Hellenistic ideas¹⁴⁸. To Van Unnik, Paul's "hellenistic" stage occurred after his conversion and before his formal missionary activities began. We shall have cause to mention Van Unnik's work below when we discuss the biographical information of Acts 22:3.

Since 1950, the view that Paul was most influenced by Hellenism has been thoroughly questioned, most notably by W.D. Davies and E.P. Sanders. It is not our intention to review these two major works in full for their investigations raise many issues that are far beyond the scope of our study. However, their significant influence in the last forty years necessitates at least a brief exposé of both theses.

Montefiore's assertion that Paul was, first and foremost, a product

of Hellenistic Judaism was thoroughly rebutted by W.D. Davies in his work, Paul and Rabbinic Judaism¹⁴⁹. Davies believed that Montefiore and his predecessors had too simply defined both Palestinian and Diaspora Judaism of the first century and had drawn too sharp a distinction between them. Davies set out to prove that "Paul belonged to the main stream of first-century Judaism, and that elements of his thought, which are often labelled as Hellenistic, might well be derived from Judaism."¹⁵⁰ His work did much to re-establish Paul as an orthodox Jewish thinker. To Davies, Paul was a rabbi who believed that the Messiah had come.¹⁵¹ Despite the worth of Davies' work, his title reflects his primary difficulty. Davies' use of the term rabbinic Judaism is much too imprecise. The Rabbinic literature reflects the thought of the rabbinic schools after 70 C.E. and much of it concerns issues of the 3rd and 4th centuries. Pharisaic Judaism might indeed have been the forerunner to the rabbinic outlook, but one should not uncritically equate the two.

E.P. Sanders, in his recent work, Paul and Palestinian Judaism, serves notice in his title that his is a critical development of the work of Davies¹⁵². Sanders questions what he calls Davies' 'motif research' (i.e. taking a theme in Paul's letters and then looking for parallels in the Jewish literature), and believes that Davies, in attempting to show Paul as an orthodox rabbi, consequently diminished the very real polemic in Paul's words against the Judaism of his day. To Sanders, Paul was no ordinary rabbinic Jew¹⁵³. Sanders' work is a great advance in the field for he attempts to take account of Palestinian Judaism in and of itself before he makes any comparisons with the thought of Paul. Furthermore, he does not equate Palestinian Judaism of

the first century C.E. with rabbinic orthodoxy. Sanders believes, in distinction from Davies, that although Paul's thought displays some important differences from that of the Pharisees and the later rabbis, Paul can not be described simply as a Hellenistic Jew either¹⁵⁴. Hence, the question of the Pharisaic influence upon Paul remains open.

Since the main effort of our study is to understand how Luke's portrayal of Paul serves the author's larger aim, we can not attempt to solve the riddle of the extent of Paul's Pharisaic background. The purpose of this brief summary of the prevailing points of view has served to place our concern within the larger scholarly discussion of Paul the Pharisee.

The evidence presented in Acts concerning Paul's Pharisaic background is not without its problems. On one hand, there are the explicit statements in Acts 22:3 ("...brought up in this city at the feet of Gamaliel"), 23:6 ("I am a Pharisee") and 26:5 ("They have known for a long time...that according to the strictest party of our religion I have lived as a Pharisee"). On the other hand, in Acts 9:1 Paul is described as an agent of the High Priests, who are connected with the Sadducees (5:17).

In Luke-Acts, the High Priests and Sadducees are, without exception, described negatively. It is of considerable interest that in Acts 5, the High Priests and Sadducees are juxtaposed and thereby compared with the moderate and thoughtful Gamaliel (5:33)¹⁵⁵. The first well known problem that this raises is that if Paul had studied with Gamaliel, what was he doing in the camp of the Sadducees?¹⁵⁶ Paul very clearly differentiates himself from the Sadducees later in Acts on theological grounds (23:6-7). Furthermore, the Pharisees, when

specifically named in Acts, are described, without exception, in a favourable light. Even J.T. Sanders, who seeks to prove that Luke's anti-semitism was fundamental to his work, admits that the Pharisees do not receive the vitriol saved for other Jewish groups¹⁵⁷. Besides the reference to Gamaliel in chapter 5, Luke mentions that some Pharisees were believers and had attached themselves to the Jerusalem church (15:5), and in 23:9 it is the Pharisees who claimed that Paul was innocent of any crime.

Another text that has caused some to question Luke's accuracy is Acts 23:1ff.. In this scene Paul is led before the Sanhedrin, yet fails to recognize the High Priest. One would assume, considering Luke's description of Paul's earlier association with the High Priests, that Paul would have recognized this leader¹⁵⁸. This observation is not new although, in our mind, many do not take it seriously enough. Yet despite the apparent discrepancies in Acts, there is nothing in these points raised that, in and of themselves, make it impossible that Paul, at one time in his life, was a Pharisee.

A Son of Pharisees (υἱὸς φαρισαίων)

In our opinion, the dilemma of whether or not Luke presents the tradition correctly, manipulated his sources, or used his incorrect sources loyally, depends upon the interpretation of a hardly discussed but extremely important phrase in Acts 23:6. Paul claims that he is a Pharisee and then adds that he is also "a son of Pharisees" (υἱὸς φαρισαίων)¹⁵⁹.

Haenchen has paraphrased the sentence: "Ich bin ein Pharisäer, aus einer streng pharisäischen familie"¹⁶⁰. This understanding of the phrase, which we believe reflects the intention of Luke, highlights the

difficulty in assuming that the biographic details of the Paul of Acts are correct. To restate what has been mentioned in numerous places throughout this chapter: while there were individual Jews who would have attained the citizenship of their Greek city, and there were Jews who could claim to have the Roman citizenship, we believe that for a strict Pharisee these status claims would have been incompatible with Pharisaism.

J. Jeremias, in an attempt to dismiss the difficulty, writes: "... but these last two words [υἱὸς φαρισαίου] could equally mean that he [Paul] was a pupil of a Pharisaic teacher or a member of a Pharisaic association." Jeremias presents evidence of parallel uses of the "son of..." formula. For example, Jeremias has shown that the phrase "sons of high priests" (Bene Kohanim gadolim) mean simply 'one of the high priests' and therefore, by extension, "son of Pharisees" means simply that Paul was a Pharisee¹⁶¹. At first glance, it is a convincing argument and one can think of numerous "son of..." combinations in the Old and New Testaments that would add substance to Jeremias' thesis (e.g. I Kings 20.35 "sons of the prophets", in Matt. 12:27 "sons of the scribes", even "Son of man"). Jeremias concludes, "In other words, the term "son of..." denotes not descent but membership of a class"¹⁶². If Jeremias is correct, then here, in Acts, Paul is not claiming that his father and grandfather were Pharisees, which would raise a number of dilemmas; rather, Paul is declaring simply that he chose to become a Pharisee. Yet, it must be pointed out that the specific term "son of Pharisees" is found nowhere else in either the Rabbinic or biblical material and therefore, while enlightening, Jeremias' contention is not conclusive.

Although Schürer¹⁶³ does not discuss the phrase "son of Pharisees", he does, like Jeremias, focus upon the meaning of the phrase "sons of the high priests" ¹⁶³. Schürer¹⁶³ argues that the term "sons of High Priests" is a title not only of membership of a group but of distinctive pedigree. For as Schürer¹⁶³ points out, the prestige of the High Priesthood was the prerogative of a few, wealthy, high status Jewish families (as Jeremias concedes). Schürer¹⁶³ writes: "the mere fact of belonging to one of the privileged families must have conferred a particular distinction." ¹⁶⁴ That Schürer¹⁶³'s sensitivity to status and pedigree is correct is shown by a usage in Josephus where the phrase υἱοὶ δ' ἀρχιερέων means offspring, as he names the three sons of Ishmael, the High Priest ¹⁶⁵. Also, there was the custom of sons following in the footsteps of their father's livelihood. Hence, the phrase "son of a carpenter" meant either that the person was a carpenter, or that he came from a line of carpenters, or, presumably both. Finally, a papyrus preserves the claim "I am an Alexandrine, the son of an Alexandrine" ¹⁶⁶. Therefore, although Jeremias may be correct that "son of Pharisees" can simply mean "a Pharisee", he is incorrect to limit the meaning to this. Moreover, since Paul claims that his Tarsian and Roman citizenships are his by birth, it is likely that Luke completed the triad of pedigree assertions by stressing the birthright of Paul's Pharisaic claim.

It must be admitted that before the destruction of the Temple, the Sadducees, not the Pharisees, possessed the highest social status in terms of wealth and rank. However, after 70 C.E., the High Priests and Sadducees ceased to be recognizable groups while the Pharisees, who had maintained their organization to some degree after the destruction of

the Temple, could claim to represent Jerusalem Judaism. In the writings of Josephus, the Pharisees became the sect which had the support of the masses and Josephus himself claims that he selected the Pharisaic school as the best of the Jewish sects¹⁶⁷. If we accept the consensus opinion that Acts was written in the last part of the first century, if not later, it would be unlikely that Luke's audience in the Graeco-Roman world would recognize the potential discrepancy of a strict Pharisee also being a citizen of Tarsus and Rome. To the Lukan readership, Paul's claim of Pharisaic upbringing bespeaks a solid pedigree in what might have been recognized as a type of philosophic school. Hence, here in Acts, Luke has Paul claim that he was born in Tarsus of a Pharisaic family of the Diaspora, and that his father and perhaps his grandfather were Pharisees.

This claim raises two further highly problematic questions: 1) were Pharisees found in the Diaspora? and, 2) how probable is it that Pharisees would also be citizens of a Greek city? The first of these issues is tremendously complicated. Jacob Neusner has written:

I don't know what to make of Pharisees born overseas which, by definition, is unclean. If Pharisees are worried about the cultic cleanness at home, they cannot pursue their discipline outside of the Holy Land...as to other parts of the Diaspora, Paul is the sole testimony I can think of."¹⁶⁸

Neusner speaks for the consensus and his point retains its weight¹⁶⁹.

Yet before accepting Neusner's conclusions we must look at the evidence for ourselves. Josephus makes mention of a strict (ἀρτίβης) Jew, Eleazer, who convinces the king of Adiabene that to become a Jew he must be circumcised¹⁷⁰. Josephus never calls Eleazar a Pharisee, but Josephus does use ἀρτίβης to describe the Pharisees¹⁷¹. Hence, it might be argued that Eleazer was a Pharisee. However, it can hardly be the

case that only Pharisaic Jews were strict or enforced circumcision. Hillel, the famous sage who was a Pharisee, came from Babylon¹⁷². But the tradition does not maintain that he began his Pharisaic career in Babylon. Both Philo¹⁷³ and Josephus¹⁷⁴ write that Essenes were found in every town and, by extension, it might be argued that Pharisees and other strict Jewish groups would be found in the Diaspora. In addition, the woe proclaimed by Jesus to the Pharisees suggests travelling Pharisaic missions (Matt. 23:15), although this has not been accepted by all scholars¹⁷⁵. Hence, there is some evidence that, at least, suggests that there were Pharisees outside of Palestine before the destruction of the Temple¹⁷⁶. However, until evidence comes forth specifically naming Pharisaic groups in the Diaspora in the early decades of the first century, the suggestion that Paul was from a Pharisaic family from Tarsus can hardly be accepted without serious reservations.

Even Paul's own testimony in Philippians 3:5 is not conclusive evidence. After asserting his strict Jewish credentials, Paul adds that he is *κατὰ νόμον φαρισαίος*. While this is a straightforward admission, it is the only time that Paul, in his letters, mentions his Pharisaism. This is somewhat odd considering his list of credentials in Romans 11:1, II Corinthians 11:22 and Galatians 1:14. One might expect him to mention his Pharisaic upbringing in these places. Although speculative, it could be that, in his letter to the Philippians, Paul was not saying that he was a Pharisee, but only that the party whose views were closest to his views were the Pharisees. One can imagine that this admission, shared with the community at Philippi, might become the basis for the tradition of Paul's strict Pharisaism. But, even if we accept the traditional interpretation of Philippians 3:5, the important point is

that Paul makes no explicit claim to have been born into a Pharisaic family outside of Acts.

The point is this: while it is highly probable that there were strict Jews in the Diaspora, it is less probable that there were Pharisees outside of Israel in the years preceding the Jewish war. The second issue, which sharpens the difficulty of Paul possessing the full citizenship of Tarsus, - is whether a Pharisee would possess or want to have the citizenship of a Greek city?

The sources indicate that the Pharisees of the first century were concerned with strictness of interpretation of the law, guardians of ancestral customs and particularly intent upon the purity of their table fellowship¹⁷⁷. Josephus, who describes the Pharisees as a philosophic sect, writes that they "excel the rest of the nation in observance of religion as exact exponents of the law"¹⁷⁸. The same impression of the Pharisees, albeit from a cynical polemical viewpoint, is received from the gospel accounts. The Rabbinic literature seems to place most emphasis on the rules of ritual purity. Epiphanius of Salamis, who, in the fourth century, gathered traditions of various heretical groups, described the Pharisees as ascetics who were constantly at prayer, who fasted twice a week and separated themselves from the larger society¹⁷⁹. Acknowledging that Epiphanius is not renowned for his reliability, his description of the Pharisees is not far removed from the other traditions found in the Gospels and Josephus. In this century, Jeremias has called the Pharisees a "holy community of Jerusalem"¹⁸⁰ and Vermes, even more recently, has described the Pharisees as "in short, a fairly small pious enclave within Jewish society"¹⁸¹. These Pharisaic concerns for ancestral law, ritual purity, table fellowship, and strict

interpretation of Torah would seem diametrically opposed to holding Greek citizenship which assumes loyalty to the local gods, tacit acceptance of the gymnasium and *ephebeia*, and assimilation of Hellenistic culture. Can we imagine that Paul, who prides himself for being from the strictest of Pharisaic backgrounds, could be any less strict than Peter who says to Cornelius and his household:

ὑμεῖς ἐπίστασθε ὡς ἀθέμιτόν ἐστιν ἀνδρὶ Ἰουδαίῳ κολλᾶσθαι ἢ προσέρχεσθαι ἄλλοφύλῳ (10:28).

In conclusion, that Paul at one time in his life was a Pharisee is a highly credible possibility. That there were Pharisaic Jews in Tarsus is less likely, although the evidence is far from conclusive. However, that Paul was born into a Pharisaic family in Tarsus and also possessed the citizenship of that Greek city and could claim that he had inherited the Roman citizenship is highly improbable. Yet this is precisely what Luke has Paul claim.

Paul's Other Objective Status Characteristics in Acts

In light of Paul's Greek, Roman and Jewish claims, which we believe would have placed him among the elite of the empire, it would not have been necessary for Luke to stress Paul's wealth and education - his citizenships and strict Pharisaic upbringing would imply both these things. However, within Acts 21:17-23:10, Luke alludes to Paul's piety, wealth and education which would have, no doubt, added to the overall portrait of his hero. For example, the mention made by Luke that Paul participated in and paid for the purifying rite for four Nazirites (21:23) does not only indicate Paul's piety but also his wealth. The payment of the vow of four men who did not have the means to pay implies a level of considerable wealth.

Josephus reports that when Agrippa arrived in Jerusalem, to take over the kingdom given to him by Claudius, he paid for "a considerable number of Nazirites to be shorn" in order to impress upon his subjects that he was a pious, rich and generous Jew¹⁸². That Paul, upon his entrance into Jerusalem, would undertake financial responsibility for this activity indicates his piety and personal wealth. It was expensive to pay for a Nazirite's vow. A he-lamb, a ewe-lamb, a ram, the fine-meal and the many pints of wine and oil would have to be provided for the sacrifices at the end of the time of the vow¹⁸³. Providing these requirements for just one Nazirite would have been expensive; having the resources to pay for four Nazirites implies great wealth. Those who were from Jewish background who read Luke would have recognized the cost of such a benefaction. Likewise, as witnessed by numerous stelae, the Graeco-Roman reader would, no doubt, have also been acquainted with the cost of many pious obligations¹⁸⁴.

The assumption that the Paul portrayed by Luke in Acts was wealthy is strengthened as the narrative proceeds and it is reported that Paul maintained himself in Caesarea, that Felix expected a bribe (24:26), that Paul would have had to pay for his travel and appeal to Rome (25:11) and finally, that Paul rented a house in the capital for two years (28:30). How Paul paid for his expenses, if indeed Luke has accurately portrayed the various scenes, and whether or not the historical Paul was a man of wealth remains unanswered. Furthermore, we do not know if Luke was unaware of, or deliberately chose not to report, the details of Paul's financial status. However, as the various scenes are presented in Acts, Luke's portrayal suggests that Paul was at very least financially secure, if not wealthy. In addition, that Paul's

friends included Asiarchs (19:31) and the leading women and men of the city (17:4,12) adds to the impression that Luke was determined to show that Paul was a man of wealth and standing.

Even Paul's claims in Acts 22:3 that he had been born in Tarsus (γεννημένος) but had been raised in Jerusalem (ἀνατετραμμένος) and taught (πεπαιδευμένος) by Gamaliel suggest a proper pious upbringing and education. It is important to note that, although in this scene Luke stressed Paul's Jewish credentials, he used a Greek literary motif to do so¹⁸⁵. Van Unnik writes: "They fit completely into the picture of Greek upbringing and education."¹⁸⁶ Of the many examples Van Unnik offers, two, taken from Plutarch and Philo, are particularly interesting for our study. Of the Gracchi Plutarch writes:

Of all the Romans they were the most disposed to virtue, and they received a most excellent upbringing (τροφή) and education (παιδευσις)¹⁸⁷.

He compares Agis and Cleomenes with the Gracchi and notes:

Agis and Cleomenes also were by nature richly gifted, but in their case the essentials of a right upbringing had been wanting: Their disposition (φύσις) appears to have been more vigorous than the Gracchi inasmuch they did not receive a sound education (παιδεία) and were trained (ἐκτραφέντες) to manners and customs that had corrupted the elders before them¹⁸⁸.

In the scene in Acts where Paul stands before the Jews of Jerusalem, he wants to stress that he was disposed to virtue because he had received the best upbringing and the strictest training.

Philo, in his book devoted to the life of Moses, comments that Moses' parents were among the "most excellent persons of their time"¹⁸⁹. His upbringing and education, under the supervision of the Egyptians, allowed Moses to be free from "dissolute lusts" and made him σώφρων, which was one of the classical cardinal virtues. Again, in Acts, Luke

wants to stress Paul's status by indicating that he was perfectly well-bred and had received an excellent education. The one important difference between Philo's account of Moses and Luke's account of Paul concerns the fact that Paul is not σώφρων until after his conversion (26:25). We will return to this important point in the next chapter when we discuss Luke's portrayal of Paul as a man of virtue.

Finally, although Paul probably was, in fact, bilingual, that he switches from immaculate Greek (21:37) to Hebrew (21:40) would not discredit his education or upbringing, or Luke's overall portrayal of Paul in Acts.

Conclusion

Within a relatively short space Paul has not only declared his civic status, but also intimated his solid upbringing and strict education as well as alluded to his piety and wealth. While it is ultimately impossible to discern, with any degree of certainty, the precise historical data which lay behind the Lukan portrayal of Paul in Acts, it seems certain that Luke was deliberate in what he did present.

In the foregoing pages we have considered three particular claims made by the Lukan Paul contained within Acts 21:17-23:11. We focused our attention upon this specific block of material because all of the action and dialogue of this section take place in Jerusalem. It marks a transition from Paul's missionary journeys (Acts 13-21:16) to his trials before the Roman authorities and his final journey to Rome (23:12-28:31). Furthermore, we believe that this portion of Acts serves as an introduction for Paul. It is no coincidence that within a relatively few verses, covering three scenes, the character of Paul has

been made the focus of great attention. Of even greater importance than the events in the narrative is the composite description of Paul that the reader receives. In these chapters Paul is described as a citizen of his home city of Tarsus, a Roman citizen and a zealous Pharisee. Moreover, there are several allusions to his wealth, education and piety.

At the outset of this chapter we posed the following question: is it probable that Paul could have been born into a Pharisaic family and also have been a citizen of Tarsus and a Roman citizen in the manner in which Luke presented it in Acts? The explicit autobiographical data gleaned from Paul's letters emphasized Paul's strict Jewish background but offered nothing to confirm, with a high degree of probability, the pedigree claims that the author of Acts has Paul make. Therefore, we sought to judge the probability of Paul's claims in Acts in terms of an understanding of the implications of citizenship and to discover how common it would have been for a Jew to be a citizen of both Tarsus and Rome.

The primary evidence of Jewish Greek citizens is ambiguous. Josephus, in a number of places, indicates that Jews held citizenship status in most of the important cities. However, given Josephus' apologetic intent and in light of the edict of Claudius to Alexandria, it seems certain that Jewish inhabitant of Greek cities in the Diaspora, as a ethnic group, would not have automatically possessed the citizenship of their city. Rather, the Jews would have held a recognized civic status as part of their *πολίτευμα*. While the evidence indicates that Jews held a protected status in many of the Greek cities, the protection offered and exemptions obtained were not tantamount to

full citizenship. We believe that while Paul may have been a "citizen" of the Jewish πολίτευμα in Tarsus, he was not a citizen of the πόλις. An individual possessing the citizenship of Tarsus, or the citizenship of any Greek city, would have had to, at least tacitly, accept the religious, political, and educational institutions of the πόλις. Hence, for one to claim to be a strict Jew from a Pharisaic family and possess the citizenship of a Greek city is problematic. Possessing the citizenship of any Greek city, particularly the citizenship of Athens, Alexandria and Tarsus, was an indication of high social status and implied wealth and prestige.

Possessing the citizenship of Rome, while not as problematic for a Jew, was hardly common in the East during the first decades of the first century. We investigated the various ways in which a Jew would have received the citizenship of Rome and we were led to conclude that, if Paul was a Roman citizen, it is most likely that he had descended from a slave family who had been manumitted. While this alternative cannot be dismissed as an historical impossibility, in Acts the reader is not presented with any indication that Paul was descended from a slave family. In the light of the obvious status comparison that occurs between the tribune's citizenship, which was "bought", and Paul's citizenship, which was inherited, it is clear that Luke had a particular intention in mind for presenting Paul the way he did. The number of Jews who would have had both citizenship of their city and Roman citizenship, despite the claims of Josephus, would have been small. Indeed, and the impression that the reader receives from the double claim of Tarsian and Roman citizenship is that Paul is a man of high social standing.

It is admitted that there were some Jews who would have had the citizenship of their Greek city and other Jews would have possessed the citizenship of Rome and still others who, presumably, would have held both. However, the evidence seems to indicate that Jews who would have aspired to or held these citizenships were not, as a rule, included among those who would have been perceived as among the strictest, most zealous, law abiding Jews. Yet, this is precisely the difficulty of the portrayal of Paul in Acts - he claims that he has been all three from birth! In other words, while each of the specific claims, in and of itself, is not problematic, the combination of the three in one person is doubtful.

Of course, in positing the problematic three-fold description of the Paul of Acts, we need to answer the obvious question mentioned at the outset. If it were so improbable for Paul to combine the citizenships of Tarsus and Rome as well as a Pharisaic upbringing, why would Luke have shaped the portrayal of Paul in such a manner? Who would have believed it?

We contend that Luke's audience and perhaps Luke himself would not necessarily have recognized the discrepancies. The exact distinctions between strict Jewish groups would have been rather remote by the end of the first century. Furthermore, from Acts alone there is little indication that Pharisees would have found citizenship of a Greek city abhorrent. Gamaliel seems an enlightened and fair leader, "respected by all the people" (5:33), and the only explicit indication of a specific Pharisaic belief, in Acts, is that they believed in the resurrection of the dead (23:6). The readers of Acts would have no reason to suppose that Luke paints an improbable picture. Rather, they would have

recognized the description of an individual of the highest social and religious credentials.

With the explicit claims thus examined we now turn to other, more implicit ways in which Luke emphasized not only Paul's social status but also his moral virtue. We will try to discover if Luke's concern to highlight Paul's social standing is matched by a concern to draw attention to Paul's moral credentials. An individual of ideal status possessed both.

Notes to Chapter 3

1. Vielhauer, P., 'On the *Paulinism* of Acts', in, (eds.) Keck, L., and Martyn, J.L., Studies in Luke-Acts, [Studies] (New York: Abingdon Press, 1966), pp.33-50. For criticism and attempted development of Vielhauer's thesis, see Wilkens, U., 'Interpreting Luke-Acts in a Period of Existentialist Theology', Studies, pp.60-83; Borgen, P., 'From Paul to Luke', CBQ 31, 1969, pp.168-182. Cf. Barrett, C.K., New Testament Essays, (London: SPCK, 1972) pp 70-115.
2. Knox, J., Chapters in a Life of Paul (New York: Abingdon Press, 1950); Jewett, R., A Chronology of Paul's Life, (Philadelphia: Fortress Press, 1979); (ed.) Corley, B.C., Colloquy on New Testament Studies: A Time for Reappraisal and Fresh Approaches, (Atlanta: Mercer University Press, 1983) esp. part 4 'Seminar on Pauline Chronology'; Lüdemann, G., Paulus der Heidenapostel, 2 vols., (Göttingen: Vandenhoeck & Ruprecht, 1980) esp. vol. 1; (E.T.) Paul Apostle to the Gentiles, trans. F.S. Jones, (London: SCM Press, 1984).
3. Meeks, W., The First Urban Christians, p.14, 38. Meeks indicates some skepticism about Paul's Roman citizenship as does Esler, P.F., Community and Gospel, p.210. Goodenough, E.R., 'The Perspective of Acts', Studies, pp.51-59; Stegemann, W., 'War der Apostel Paulus ein römischer Bürger?', Zeitschrift für die neutestamentliche Wissenschaft, 78, 1987, pp.200-229. Stegemann presents a full investigation of the claims to Roman citizenship in Acts. He concludes that it is unlikely that Paul was, in fact, a citizen of Rome. The question of Paul's Pharisaic upbringing and influence has always been of great interest to scholars, Haenchen dismissed the view that Paul had been taught by Gamaliel, Acts p.625; Böhlig, H., Die Geisteskultur von Tarsos in augusteischen Zeitalter mit Berücksichtigung der paulinischen Schriften, [Tarsos] (Göttingen: Vandenhoeck and Ruprecht, 1913) pp.150ff. Böhlig believed that Paul's Pharisaic period was very brief and did not have much influence on Paul's theological expression. Enslin, M., 'Paul and Gamaliel' Journal of Religion 7, 1927, pp.360-375; Sanders, E.P., Paul and Palestinian Judaism, (London: SCM Press, 1977) p.555, who confess that it is difficult to "peg" Paul as a rabbinic Jew. For a recent study which is both highly skeptical and cynical see Maccoby, H., The Myth Maker: Paul and The Invention of Christianity (London: Weidenfeld and Nicolson, 1986) who dismisses Paul's strict Jewish background altogether. Paul's claim, in Acts, that he is a citizen of Tarsus is hardly discussed by New Testament scholars, yet both Tarn, W.W., Hellenistic Civilization² (London: Edward Arnold and Co., 1952) pp.174-177 and Tcherikover, V., Hellenistic Civilization and the Jews, trans. S. Applebaum, (Philadelphia: The Magnus Press, 1959) pp.297-332, recognize the difficulties.
4. Schoeps, H.J., Paul: The Theology of The Apostle Paul in the Light of Jewish Religious History, (London: Lutterworth Press, 1961), p.25; See Theissen, Social Setting, p.104 who shows the same uncritical acceptance of the evidence despite noting the obvious difficulty. Meeks is more circumspect, The First Urban Christians, p. 14, 38.
5. Josephus, Ant. xviii, 12.
6. Josephus, B.J. i, 110-114; ii, 162-4; Ant. xiii, 408-410, passim.
7. Sherwin-White, A.N., The Roman Citizenship², (Oxford: At the University Press, 1973) p.273.
8. Ramsay, W., The Cities of St. Paul (London: Hodder and Stoughton, 1907), p.227.
9. Collange, J.F., The Epistle of St. Paul to the Philippians, trans. A.W. Heathcoate, (London: Epworth Press, 1979) p.51.

10. That Paul is able and willing to address the crowd after a near death experience does not suggest an unadorned account. See Haenchen, Acts, p.620.
11. Haenchen, Acts, p.619.
12. Ibid.
13. Conzelmann, App. p.123.
14. Haenchen, Acts, p.622.
15. Bruce, Acts, p.399-400; Marshall, Acts, p.352.
16. Cadbury, H., The Book of Acts in History [BAH], (London: Adam and Charles Black, 1955) notices a "hint of Greek superiority", p.32. We believe that there is more than a hint! The Egyptian came to Jerusalem about 54 C.E. claiming to be a prophet and led a multitude out of the city promising that the walls of the city would fall down. See Josephus, BJ, ii, 261-263 and Begs. ii, pp.357ff. Josephus calls him a false prophet. As the editors of Beg. iv, p.276 point out, the Egyptian of Josephus is not necessarily the Egyptian that the Centurion believed he had caught, although the coincidence is compelling. Eusebius, The Church History [HE], trans. A.C. McGiffert, (Oxford: Parker and Co., 1890) ii, 21, accepted the identification. In Acts 21:33 the centurion numbers the followers of the Egyptian at 4,000 not 30,000 as in BJ. Perhaps a confusion of the greek letters Δ and Α. See Bruce, Acts, p.398.
17. Cadbury, BAH, p.33.
18. Euripides Ion 8 ἔστιν γὰρ οὐκ ἄσπητος Ἑλλήνων πόλις (i.e. Athens); Bruce, Acts, p.398; Cadbury, BAH, p.33; Fesch, R., Die Apostelgeschichte [EKK], 2 vols. (Zurich: Benziger Verlag, 1936), vol.2 ,p.232.
19. Rackham, Acts, p.420; Beg. iv, pp.276-278.
20. Bruce, Acts, p.398.
21. Haenchen, Acts, p.622; Marshall concurs, Acts, p.352.
22. On Jewish privileges in Alexandria see Corpus Papyrorum Judaicarum, [CPJ] 3 Vols., ed. Tcherikover, V.A. and Fuks, A. (Cambridge: Harvard University Press, 1957) #151 on Jewish exemptions in Alexandria; Philo, Legatio ad Gaium, trans. Smallwood, E.M., (Leiden: E.J. Brill, 1970) p.8f; also Smallwood, E.M., The Jews Under Roman Rule, (Leiden: E.J. Brill, 1976) p.230-2; Feldman, L.H., 'The Orthodoxy of the Jews in Hellenistic Egypt' Journal of Jewish Studies 22, 1960, pp.215-237; See also, Lewis, N., Life in Egypt under Roman Rule,² (Oxford: Clarendon, 1985).
23. Josephus, Contra Apion, [Ap.] trans. Thackery, ii, 41.
24. P. Oxy 1681 (3rd C.), 11.4ff.
25. Philo, Legum allegoriarum [Leg. al.] ii, 84; iii, 13, 37f, 81, 87 (particularly iii,38); De Somniis, [Som.] ii,255. He also calls them uneducated De Congressu Eruditionis gratia, [Congr.] 20; Som. i,240).
26. Strabo, Geography, xvii, 1.12

27. Ibid., xvii, 1.13.

28. Ibid., xvii, 2.5.

29. Jones, A.H.M., The Greek City: From Alexander to Justinian (Oxford: Clarendon, 1940) writes that Tarsus "had...the undisputed primacy of Cilicia" p.207. In 104 B.C Cilicia became a Roman province but it was not until the end of the Mithridatic wars (65-64 B.C.E.) that the Roman east was reorganized and Tarsus became larger and more important as an administrative and commercial centre. In 42 B.C.E. Tarsus was granted the privileged status of 'free city' (*libera civitas*); cf. Ramsay, W., Cities of St. Paul, (London: Hodder and Stoughton, 1907), pp.85-116, 185; ibid. 'Tarsus' The Expositor, Series 7, Vols. 1, 2, 1906; Mitford, T.B., 'Roman Rough Cilicia', Aufstieg und Niedergang der römischen Welt: Geschichte und Kultur Roms in Spiegel der neueren Forschung, [ANRW] eds. Temporini, H., & Haase, W., (Berlin: Walter De Gruyter, 1972-) II, 7.2, 1980 pp.1230-1261.

30. Conversation with Professor E.M. Smallwood, November, 1986. She considered that Paul's Greek citizenship would probably be a breach of orthodox Judaism. After a moment, she did raise the point that Paul might have been using ambiguous terminology. We will discuss this issue in detail below.

31. Dio Chrysostom, The Tarsian Discourses, trans., J.W. Cohoon and H.L. Crosby, Loeb Classical Library, xxxiii, 17; Xenophon, Anabasis, 1.2, 22-3 - Tarsus had great natural resources; Josephus, Ant.i, 6,7. He calls Tarsus "μητρόπολις αὐτόνομος"; Jones, A.H.M., Cities of the Eastern Roman Provinces, (Oxford: Basil Blackwell, 1937) p.192-215.

32. Dio Chrysostom, op.cit. xxxiii, 49, also mentions the Tarsian custom of having women covered from head to toe when out in public; Cf. I Corinthians 11.10.

33. W. Ramsay, The Cities of St. Paul, p.232.

34. Strabo, xiv,5,12-15. It must be noted that he is not saying that Tarsus was as famous as the academies of Athens and Alexandria, but that the vitality and quality of learning was as good if not better.

35. Strabo, xiv, 14,5,14 mentions five famous Stoics who were born in Tarsus - Antipater, Archedemus, Nestor, Athenodorus Cordylion (who was a friend and advisor of Augustus) and Athenodorus, the son of Sandon. In the nearby town of Soli, Chrysippus and Aratus, two other well known Stoics were born.

36. Jones, A.H.M., Cities of the Eastern Roman Provinces p. 208, makes mention of this edict of Diocletian but provides no specific reference. Especially see Jones' section on Cilicia, pp. 192-215. For an even older study see Ramsay, The Cities of St. Paul, p. 35-175

37. Jones, A.H.M. The Greek City, "This seems however to have been a local rule and perhaps of pre-Roman origin" p.174.

38. Dio Chrys., xxxiv, 23.

39. Ibid., xxxiv, 23.

40. Philostratus, Vita Apollonius, i,7.

41. Böhlig, H., Tarsos, p.128; Philo, Legatio ad Gaium, 281; CII II, no. 925 an inscription reads 'Ιοόδας υἱός Ιοσὴ Ταρσεύς; Welles, C.B., 'Hellenistic Tarsus', Mélanges de l'Université St. Joseph 38, 1962, pp.41-75; Schürer, E., revised and edited by Vermes, G., Millar, F., Black, M., The History of the Jewish People in the Age of Jesus Christ 4 vols. [Schürer¹⁹⁷³] (Edinburgh: T.& T. Clark, 1973-86) vol. 3, pp. 33-4.

42. Böhlig, Tarsos, p.129, depends on the accounts of Jewish citizenship given by Josephus^{Ant.} xii, 121; 124, yet questions the trustworthiness of Josephus' evidence!

43. This issue will be discussed in more detail later in the chapter. For a discussion of Jewish civic status, see, Tarn, W.W., Hellenistic Civilization³ (London: Edward Arnold, 1952) p.221ff; Tcherikover, V., Hellenistic Civilization And The Jews, trans. S. Applebaum, (Philadelphia: The Magnus Press, 1959) pp.297-332; Smallwood, E.M., The Jews Under Roman Rule pp. 220-255.

44. Applebaum, S., 'The Legal Status of the Jewish Communities in the Diaspora' in Safrai, S., Stern, M., Flusser, D., Van Unnik, W.C., The Jewish People in the First Century, (Philadelphia: Fortress Press, 1976), p.434.; Judge, E.A., Christian Groups in the First Century, (London: Tyndale, 1960) pp.26-7, writes: "lack of citizenship was a humiliating barrier to social acceptance in many cases."

45. Smallwood, E.M., The Jews Under Roman Rule, p.235.

46. For a collection of classical authors' attitudes to the Jews see Stern, M. (ed.) Greek and Latin Authors on Jews and Judaism 2 vols. (Jerusalem: Israel Academy of Science and Humanities, 1980). E.g. Cicero, called Judaism a "Barbarous superstition" Pro Flacco, 28. Tacitus found the Jews to be "the vilest of people", Histories, 5:5, 8. Juvenal wrote that the Jews would refuse to give help to a Greek in need, Satires, 14:103,104. Josephus in Contra Apionem 1:34; 2:10, discusses Apion's claim that the Jews swore by heaven never to help a man from another nation. Finally, Diodorus Siculus 31:1, 1 wrote, that the Jews, "...alone of all nations...refuse all fellowship and intercourse with other nations and suppose all men to be enemies."; See also Gager, J.G., The Origins of Anti-Semitism: Attitudes Towards Judaism and Christian Antiquity, (Oxford: The University Press, 1983)

47. J.Z. Smith, 'Fences and Neighbors: Some Contours of Early Judaism' in ed., Green, W.S., Approaches to Ancient Judaism, 2 vols. (Chico: Scholars Press, 1980) vol.2, pp.1-26; Kraabel, A.T., 'The Roman Diaspora: Six Questionable Assumptions', ['Six Questionable Assumptions'], Journal of Jewish Studies, Essays in honour of Yigdal Yadin, xxxiii, 1-2, 1982, pp.445-464; Goldstein, J., 'Jewish Acceptance and Rejection of Hellenism', ['Jewish Acceptance'] in eds. Sanders, E.P., Baumgarten, A.I., Mendelson, A., Jewish and Christian Self-Understanding 3 vols. (London: SCM Press, 1981) vol.2, pp.64-87. Yet see Jones, A.H.M., The Greek City: From Alexander to Justinian. His classic study of the Greek cities does not deal with the status of Jews and this is unfortunate. But, what is expressed, with great clarity, is that it was not easy to attain to the citizenship. The citizenship was reserved for the wealthy and the wealthier one the more he or she was involved in the education, athletics and cultic celebrations of that polis.

48. Goldstein, J., 'Jewish Acceptance' pp.66-67.

49. Ibid., p.67; II Macc. iv, 9-15; Ant. xv, 267ff. Certainly observant Jews would have problems with nudity in the ἐφῆβαια; Tarn, W.W., Hellenistic Civilization, p.221ff; Harris, H.A., Greek Athletics and The Jews, Appendix: 'Jews with Greek or Roman Names' (Cardiff: The University of Wales Press, 1976), pp. 102-106.

50. Kraabel, A.T., 'Paganism and Judaism: The Sardis Evidence', in Paganisme, Judaïsme, Christianisme: Influences et Affrontements dans le Monde Antique, Mélanges offerts à Marcel Simon, (Paris: Éditions E. De Boccard, 1978) pp. 13-33; Schürer², vol.3, p.21ff; Paul Trebilco in a paper presented to NTS conference in London, summer 1986 and graciously presented to me entitled 'Jew and Gentile, Male and Female in Asia Minor', shows that some Jews were both observant and loyal to their town.

51. The results of the archaeological exploration of Sardis, under the leadership of G.M.A. Hanfmann, can be found in the Bulletin of the American School of Oriental Research [BASOR] vols. 154-216, 1959-1974. For a recent comprehensive study of the evidence see (ed.) Hanfmann, G.M.A., Sardis from Prehistoric to Roman Times: Results of the Archaeological Exploration of Sardis, 1958-1975, [Sardis], (Cambridge, MA: Harvard University Press, 1983). This volume has a full up to date bibliography.

52. Trebilco, 'Jew and Gentile, Male and Female in Asia Minor', p.4.

53. Kraabel, and Seager, A.R., 'The Synagogue and the Jewish Community' in Hanfmann, Sardis, pp.168-190; Kraabel, 'Social Systems of Six Diaspora Synagogues', in (ed.) Gutmann, J., Ancient Synagogues. The State of Research, (Brown Judaic Studies 22, Chico (CA): Scholars Press, 1982).

54. Kraabel, 'Six Questionable Assumptions', p. 448; For a study of the synagogue inscriptions see Roberts, L., Nouvelles Inscriptions de Sardes, (Paris: A. Maisonneuve, 1972).

55. Trebilco, pp.6-7; CPI III, p.170-1; Smallwood, The Jews under Roman Rule, p.503.

56. Böhlig, Iarsos, p. 144.

57. Aristophanes, Knights 581f; Ferguson, J., Greek and Roman Religion: A Source Book, (Park Ridge (N.J.): Noyes Press, 1980), pp.61-89; Burkert, W., Greek Religion, (Oxford: Basil Blackwell, 1985).

58. Aelius Aristides, i, 40-48; Ferguson, Greek and Roman Religion, p.63.

59. Dittenberger, W., Sylloge Inscriptionum Graecarum², [SIG], (Lipsiae: Apud S., Hirzelium, 1915) no. 323.

60. Ferguson, J., The Religions of the Roman Empire (London: Thames and Hudson, 1970) p. 77; Liebeschuetz, J.H.W.G., Continuity and Change in Roman Religion, (Oxford: Clarendon Press, 1979) pp.197-200.

61. Ferguson, Greek and Roman Religion, p.77.

62. Jones, A.H.M., The Greek City: From Alexander to Justinian, (Oxford: Clarendon, 1940) Although he does not discuss the matter of Jews in Greek cities, he does describe the life of the Greek city in great detail. Education, religious rites and athletic games were all part of the life of the city and the taxes from the citizens and the gifts from the wealthy benefactor were the main source of income. Citizens of Greek cities were inevitably drawn into, to some extent, the city administration, payment for liturgies and benefactions for the upkeep of the city. All these potential responsibilities would compromise Torah.

63. Philo, Legatio ad Gaium, trans. E.M. Smallwood, (Leiden: E.J.Brill, 1970) introduction. Prof. Smallwood has written the most clear and most full discussion of this issue.; Smallwood repeats the argument in, The Jews Under Roman Rule (Leiden: E.J.Brill, 1976). Smallwood is followed by: Applebaum, S., 'The Legal Status of the Jewish Communities' in The Jewish People in the First Century, vol.1, pp.420-463; ibid., 'The Organization of the Jewish Community in the Diaspora' pp.464-503; ibid., vol.2, 'The Social and Economic Status of the Jews in the Diaspora', pp.701-727. Rabello, A.M., 'The Legal Condition of the Jews in the Roman Empire,' ANRW II, 13, pp.662-762; Schürer^{rev} vol. 3, pp. 126-129.
64. Dittenberger, W., Orientis Graeci Inscriptiones Selectae [OGIS] 2 vols. (Lipsiae: Apud S. Hirzel, 1903) 229, 1.45.
65. Schürer^{rev}, vol.3, pp.126-132.
66. Josephus, Ant. xii, 121.
67. Ant. xii, 125-7; cf. xvi, 27-60.
68. Ant. xvi, 27-60.
69. Ant. xvi, 28.
70. Smallwood, The Jews Under Roman Rule, pp.140-1.
71. Josephus, Ant. xiv, 259.
72. Tarn, Hellenistic Civilization, p.176 n.1.
73. Ibid. p.177.
74. Tcherikover, Hellenistic Civilization and the Jews, pp.328-9.
75. Philo, In. Flaccum §53; Josephus, Ant., xii, 1; xix, 5; Contra Apion ii, 38-9; vid. Smallwood, Legatio ad Gaium, pp.4-10
76. Vid. note 63.
77. Josephus, Ant. xii, 8.
78. Ibid. xiv, 188.
79. P. Lond. 1912. First published and discussed in English by Bell, H.I., Jews and Christians in Egypt: The Jewish Troubles in Alexandria and the Athanasian Controversy, (London: Bernard Quaritch, 1924); found also in Hunt, A.S. and Edgar, C.C., Select Papyri II (London: William Heinemann, 1934) No.212 pp.79-89.
80. line 95 of the edict.
81. Josephus, Ant. xix, 281.
82. Aegyptische Urkunden aus den Königlichen Museen zu Berlin.: Griechische Urkunden: Vierter Band (Berlin: Weidmannsche Buchhandlung; 1912) [BGU], no. 1140.; Tcherikover, Hellenistic Civilization and the Jews, p.312.

83. Josephus, Contra Apion, ii,38.
84. Vid. Smallwood, Legatio ad Gaium, and Tcherikover, V. Hellenistic Civilization and the Jews, pp.313-317; Schürer^{rev}, vol. 3, pp.76-79.
85. Dittenberger, OGIS 592, 658.
86. BGU iv, 1151,7-8; Josephus, Ant. xiv, 235. These courts and record offices functioned according to ancestral laws.
87. Corpus Inscriptionum Graecarum, ed. Franzius, J., 38 vols. (Berlin: Vendit G. Reimeri Libraria, 1853) [CIG] no. 5361; vid. Ant xviii, 372, 378.
88. Schürer^{rev}, vol.3, p.90.
89. Smallwood, Jews Under Roman Rule, pp.230-232; Feldman, L.H., 'The Orthodoxy of Jews in Hellenistic Egypt', Journal of Jewish Studies, xxii, 1960 pp.215-237.
90. apud.Ant. xiv, 115.
91. Applebaum, S., 'The Social and Economic Status of the Jews in the Diaspora' ibid. p.709; Rostovtzeff, M. SEHWW I pp.277-281.
92. 34th, or 2nd Tarsic Discourse, 521. It is interesting to note that Dio, too, recognizes the broader meaning of the term citizen, for he states that to some measure one who was born in Tarsus and who has made Tarsus his home is a citizen (πολίτης) although he is not, constitutionally, a member of the polis.
93. Ant. xiv, 259-261 shows the ambiguity, for Josephus refers to a decree acknowledging "the Jewish πολῖται living in our city". Smallwood, Legatio ad Gaium p.10 writes: "The Jews were not members of the Greek citizen-body, and therefore, they were technically not 'Alexandrians', although that term might be applied to them popularly in the sense of 'inhabitants of Alexandria'". Smallwood refers to Legatio ad Gaium 194, 350 and Flaccum 580.
94. Lyall, F., 'Roman Law in the Writings of Paul - Aliens and Citizens', Evangelical Quarterly 48, 1976, p.9.
95. Ant. xx, 100. His full name is given on an edict he issued while prefect in Egypt. Dittenberger, OGIS, 669; vid. Tac. Annales xv, 28,4; Josephus, B.J. ii, 309, 492; iv, 616. He was a Roman equestrian as well as a Greek citizen of Alexandria. Vid. Schürer^{rev}, vol. 1, p.457n.9 and Turner, E.G. 'Tiberius Iulius Alexander' JRS, 44, 1954 pp.54-64.
96. Contra Apion ii, 38-9; B.J., vii, 46-53.
97. Philo's brother Alexander, was Alabarch in Alexandria and was, in contrast to his son, shown in a favourable light. Ant. xx,100. Whether or not Alexander was a Greek citizen of Alexandria is unclear. In Feldman's (Loeb) translation of Ant. xx, 100 he adds the english word "citizen" where there is no such word in the Greek. The position of Alabarch (=Arabarch) was that of a customs superintendent on the Arabian side of the Nile discharged by Jewish notables. vid. Feldman's notes on Ant. xviii, 159. Vid. also Ant. xix, 276; xx, 147 where Josephus notes that Demetrius was another Jew who held this post. vid. Schürer^{rev}, vol. 1, p.136n.43; Tcherikover, Hellenistic Civilization and the Jews, p. 49n.4; Julia Severa built a synagogue Corpus Inscriptionum Iudaicarum (CII) ed.J-B

Frey, (Rome: Pontificio Instituto Di Archeologia Cristiana, 1952) II, no. 766. Ramsay, W., The Cities and Bishoprics of Phrygia (Oxford: Clarendon Press, 1897) believes that Julia Severa was a Jewess, who ranked as a leader of the Synagogue. Schürer², vol. 3, pp. 30ff. disagree; "Julia Severa cannot, of course, have been Jewish". Julia was a high priestess of the Imperial Cult. Philo, Quod omnis probus liber sit 6, speaks of Jews holding positions of clerk of the market (ἀγοράνομος) and gymnasiarch, both greek municipal offices which were confined, presumably to Greek citizens. In Alexandria, attainment of Roman citizenship was required prior to possession of Alexandrian citizenship hence there must have been some Jews who had both citizenships. Pliny, Ep. Traianum, 6.22. Cf. Kraabel, A.T., 'Six Questionable Assumptions', pp.445-464; Rajak, T., 'Jewish Rights in the Greek Cities Under Roman Rule: A New Approach,' in ed. Green, W.S., Approaches to Ancient Judaism: Studies in Judaism and its Greco-Roman Context, (Missoula: Scholars Press, 1985), pp.19-36.

98. CIG 3148; Smallwood, Jews Under Roman Rule p.234 n.59; but see Kraabel, T., 'Six Questionable Assumptions' p.458, who translates οἱ ποτὶ Ἰουδαίον as "formerly from Judea".

99. The Roman citizenship began its devaluation before Claudius as the earlier Julio-Claudians opened the franchise to those who would be loyal to them. Yet it was still a highly prestigious title throughout the first century. E.M. Smallwood mentioned that, in reality, Roman citizenship outside the city of Rome was primarily a designation of social prestige and there were few actual political advantages. See Judge, E.A., 'St. Paul and Classical Society', Jahrbuch für Antike und Christentum, 15, 1972, p.25; Sherwin-White, A.N., 'The Roman Citizenship: A Survey of its Development into a World Franchise', ANRW, I, 2, pp.23-58.

100. Dio Cassius, lx, 17. 5f.

101. Ropes, J.H., Reg. iii, p.215. ^{erman}Boh^{man} and var. Vulgate codd. of the text add this: *tan facile dicis civem romanum esse?* ; See, Reg. iv, p.284; Bruce, Acts, p.407. Haenchen adds nothing new to the discussion and refers to Ropes' volume, op.cit.; Epp, E.J., The Theological Tendency of Codex Bezae Cantabrigiensis in Acts, (SNST) (Cambridge: University Press, 1966) Epp does not, as far as we can discern, even mention the verse which is, in our mind, a suprising omission considering the interest of his study. BCD

102. Cadbury, Reg., iv, p.284.

103. Broughton, T.R.S., 'The Roman Army', Reg. v, pp. 427-441; Cadbury, BAH, p.79; Watson, G.R., The Roman Soldier, (London: Thames and Hudson, 1969), pp.99; 'Tribuni Militum', The Oxford Classical Dictionary [OCD], (Oxford: At the Clarendon Press, 1970) pp.1091-2; Keppie, L., The Making of the Roman Army From Republic to Empire, (London: B.T. Batsford, Ltd., 1984), p.112; Webster, G., The Roman Imperial Army of the First and Second Centuries, A.D., (London: Adam and Charles Black, 1985), p.219.

104. Cadbury, BAH, p.79.

105. A Roman citizen could elect public officials and be elected, if in Rome. A male citizen could be called up to serve in one of the legions. Citizens had legal privileges over non-citizens. They could, at least theoretically, appeal against the sentence of a magistrate and protect themselves from certain kinds of punishments. As we shall argue in chapters 5 and 6, those citizens of high social status had legal advantages over citizens of low social status. See Kornemann, 'Civitas' RE, col.306; Sherwin-White, The Roman Citizenship.

106. Philo, Legatium ad Gaium xxiii, 155-7; Josephus, Ant. xvii, 300; Leon, H.J., The Jews of Ancient Rome (Philadelphia: The Jewish Publication Society of America, 1960) p.6ff; Smallwood, Jews Under Roman Rule, pp.131ff. Smallwood contends that the majority of the Jews in Rome would not have been those of high status. Ramsay, W. Cities of St. Paul, p.169ff.
107. Josephus, Ant. xiv, 228, 232, 234, 237, 240.
108. BJ ii,308; Ant. xix, 52..
109. Schürer², vol. 3, p.133.
110. Compare the evidence of Julia Severa, see note 91 above.
111. BJ i, 194; ii, 308; Ant. xiv, 137.
112. Vita 76.
113. Sherwin-White, Roman Society and Roman Law p.151; Marshall, Acts p.359. See Stegemann, W., 'War der Apostel Paulus ein römischer Bürger?' ZNW, 78, 1987, pp.200-229. He does not commend the historicity of Acts.
114. Ant. xiv, 228.
115. Ibid. xiv, 226.
116. See note 101 above.
117. Schürer², vol.2, p.475.
118. Applebaum, 'The Legal Status of the Jewish Communities', p.459; Nicolet, C., Le Métier de citoyen dans la Rome républicaine, (Paris: Éditions Gallimard, 1976) pp.122ff.; Stegemann, 'War der Apostel Paulus ein römischer Bürger?' p.225.
119. Smallwood, Jews Under Roman Rule p.128.
120. For studies concerning slavery and manumission see Duff, A.M., Freedmen in the Early Roman Empire, (Cambridge: W. Heffer & Sons Ltd., 1958); Weaver, P.R.C., 'Social Mobility in The Early Roman Empire: The Evidence of the Imperial Freedmen and Slaves' Past and Present, 37, 1967, pp.3-20; Bartchy, S.S., First Century Slavery and 1 Corinthians 7:21, SBL Dissertation Series 11, (Missoula: Scholars Press, 1973).
121. Goodfellow, C.E., Roman Citizenship: A Study of Its Territorial and Numerical Expansion from the Earliest Times to the Death of Augustus [Roman Citizenship] PhD. dissertation Bryn Mawr College, 1935 pp.112ff. See Lüdemann, G. Das frühe Christentum nach den Traditionen der Apostelgeschichte: Ein Kommentar, [Apq.] (Göttingen: Vandenhoeck & Ruprecht, 1987), pp.249-250 who argues that Paul probably was freed slave.
122. Jerome De viris illustribus [De vir. ill.] v, translated E.C. Richardson, The Nicene and Post-Nicene Fathers² vol. 3, (Grand Rapids: Eerdmans, 1892) has Giscala of Judea, p.362.
123. Fascher, E., 'Paulus' Real Encyclopädie der Classischen Altertumswissenschaft [RE], ed. G. Wissowa, (Stuttgart: J.B. Metzler, 1956, pp.431-466; Haenchen, Acts, p. 620 reports

that T. Zahn contended that Paul's parents originated in Giscala were taken to Tarsus as slaves and then Paul was born.

124. Kornemann, E., 'Civitas' RE Supplement, cols. 304-317; Goodfellow, Roman Citizenship pp.90-108; Sherwin-White, The Roman Citizenship pp. 338.; Holtheide, B., Römische Bürgerrechtspolitik und römische Neubürger in der Province Asia (Düsseldorf: Hochschul-Sammlung Philosophie Politikwissenschaft, 1983).

125. Goodenough, E.R. 'The Perspective of Acts' p.55; Renan, E., Saint Paul, (Paris: Michel Lévy Frères, 1869) p. 526-7 n.1.

126. Goodenough, 'The Perspective of Acts' p.55. That Luke relates that Paul was a tentmaker (Acts 18:3) is somewhat problematic for our overall concern. One would be hard pressed to argue that tent making was a high status profession. Deissmann, Paul, considers Paul's tentmaking as proof of his low, artisan status. Cf. Hock, R.F. 'Paul's Tentmaking And the Problem of His Social Class', JBL 97, 1978, pp.555-564. In this article Hock, in opposition to Deissmann, argues that Paul was of the social elite and demeaned himself, taking on a lowly status and becoming an example for others. It is interesting to note that Codex Bezae (D), and *gig* leave out the reference all together. It is difficult to discern which text reflects the older tradition. On tentmaking see Nestle, E., 'St. Paul's Handicraft (Acts 18:3)' JBL, 11, 1892, pp.205-6; Burford, A., Craftsmen in Greek and Roman Society (London: Thames and Hudson, 1972; Hock, The Social Context of Paul's Ministry: Tentmaking and Apostleship (Philadelphia: Fortress Press, 1980). In this later work of Hock, he admits that the exact meaning of σκηνοποιός is obscure. Most recently see Lampe, P., 'Paulus-Zeltmacher' Biblische Zeitschrift 31, 1987, pp.256-260. Lampe suggests that tents were made out of linen in order to protect the wealthy from the summer heat. He goes on to argue that Paul weaving linen tents would correspond to the tradition of Tarsian linen. He concludes that Paul would not have been a citizen of Tarsus! Vid. Theissen, Social Setting, p. 104.

127. Ramsay, The Cities of St. Paul, p.227.

128. Cicero, Pro Balbo xi, 28, "No citizen of ours may, according to the civil law, be a citizen of two states", yet by the end of Augustus' reign dual citizenship was taken for granted. SEG ix, 8; See Sherwin-White, The Roman Citizenship, pp. 245; Schürer² vol. 3, p.134 n.31.

129. Meeks, W., First Urban Christians, p.55-63.

130. Cranfield, C.E.B., A Critical and Exegetical Commentary on St. Paul's Letter to the Romans ICC (Edinburgh: T. & T. Clark, 1975) pp.48-50. Cadbury, BAH p.69; Sherwin-White, Roman Law and Roman Society, pp. 152.

131. Jerome, De viris illustribus v.

132. Cranfield, op.cit., p.49; Harris, H., 'Jews with Greek or Roman Names' in his Greek Athletics and the Jews, pp.102-106.

133. Horsley, G.H.R., New Documents Illustrating Early Christianity (North Ryde: The Ancient History Documentary Research Centre, 1981), pp.93-4; Fasche, E., 'Paulus' RE Supp. 8, cols. 432-444.

134. Sherwin-White, Rom.Soc. p.152.

135. Ibid.
136. Suetonius, Claudius 25.
137. Haenchen, Acts, p.638; Lüdemann, G., App., p.251; Pesch, R. App. vol.2, p.243.
138. Lüdemann, App. p.251.
139. Böhlig, H., Tarsos. For a critical review of the positions up to his time see, Schweitzer, A., Geschichte der paulinischen Forschung von der Reformation bis auf die Gegenwart, (Tubingen: J.C.B.Mohr(P.Siebeck), 1911); (ET.) Paul and His Interpreters, trans. W. Montgomery, (London: Adam and Charles Black, 1912); Davies, W.D., Paul and Rabbinic Judaism, (London: SPCK, 1962) p.1.
140. Montefiore, C.G., Judaism and St. Paul, (London: Max Goschen, 1914), p.95.
141. Ibid., p.93
142. Enslin, M.S., "Paul and Gamaliel", Journal of Religion 7, 1927, pp.360-375.
143. Maccoby, H., The Myth Maker: Paul and the Invention of Christianity, (London: Weidenfeld and Nicolson, 1986), p.17.
144. Schweitzer, A., The Mysticism of Paul the Apostle², trans.W. Montgomery, (London:Adam & Charles Black, 1953).
145. Schweitzer, Paul and his Interpreters, p.87.
146. Dunn J.D.G., in a paper delivered to a SNSI conference in Durham, September 1987; Neusner, J. 'Two Pictures of the Pharisees: Philosophical Circle or Eating Club' Anglican Theological Review 64, 1982, pp.525-538.
147. See Appendix 1, 'Pharisees'.
148. Unnik Van, W.C., Tarsus or Jerusalem?, tr. G. Ogg, (London: Epworth Press, 1962).
149. Davies, W.D., Paul and Rabbinic Judaism, p.189; Ibid p.1.
150. Ibid., p.16.
151. Ibid., p.324.
152. Sanders, E.P., Paul and Palestinian Judaism, (London: SCM, 1977)
153. Ibid., p.8.
154. Ibid., pp. 543-552. Sanders' conclusion that Paul was not a Pharisaic-Rabbinic Jew may yet be incorrect but it is certainly a better conclusion than that of H. Maccoby, The Myth Maker, who concludes that Paul was not even Jewish.
155. That the Sadducees and Pharisees are juxtaposed and thereby implicitly compared was a common classical technique. We will discuss this in more detail in chapter 3. Cf. Josephus, B.J. ii, 162-166 and Ant. xiii, 171-173 where the same technique is displayed.

156. Maccoby, The Myth Maker, believes that Paul was the agent of the Sadducees and not a Pharisee at all.

157. But see Sanders, J.T., The Jews in Luke-Acts, (London: SCM Press, 1987).

158. Rackham, R.B., Acts, p.433, believes that Paul's response to the High Priest is due to his "fiery spirit" that sometimes cannot be controlled, yet his realization that he has spoken in haste shows his natural humility. Bruce, Acts, p.410 presents the three most common interpretations of why Paul does not recognize the High Priest: 1) poor eyesight, 2) there has been a change of High Priest since Paul's last visit to Jerusalem and 3) Paul is being sarcastic. None of these explanations are adequate.

159. Haenchen questions the historicity of this incident and emphasizes the dramatic intent. Rackham, Bruce and Marshall would agree that it is dramatic but would not, therefore discount its historicity. We believe that no one gives the proper attention to the claim Paul is making. It should be noted that the plural $\varphi\alpha\rho\iota\sigma\alpha\iota\omega\nu$, is read by P⁷⁴, \mathfrak{A} , A, B, C, Ψ , 33, 36, 945, 1175 pc lat sy^p. The singular $\varphi\alpha\rho\iota\sigma\alpha\iota\omega$, is read by E, \mathfrak{M} , syⁿ.

160. Haenchen, App. p.571; Wendt App. p.466, Paul is "...ein geborner Pharisäer". Schneider App. p.322; Munck, Acts p.222, Paul was a Pharisee "born and bred". Burchard, Der dreizehnte Zeuge, p.39 gives as a pre-70 A.D. example, $\alpha\rho\chi\iota\sigma\upsilon\nu\acute{\alpha}\gamma\omega\gamma\omicron\varsigma\ \nu\acute{\iota}\omicron\varsigma\ \alpha\rho\chi\iota\sigma\upsilon\nu[\alpha\gamma\acute{\omega}\gamma\omicron]\nu\ \nu\acute{\iota}\omega\nu\delta\varsigma\ \alpha\rho\chi\iota\sigma\upsilon\nu[\alpha\gamma\acute{\omega}\gamma\omicron]\nu$; Schürer^{rev}, vol. 2, pp.233-4. Vid. Weiss, H.F., ' $\varphi\alpha\rho\iota\sigma\alpha\iota\omega\varsigma$ ' IDNI 9, p.46 "According to Acts he was a son of Pharisaically inclined parents." Most of the older commentaries that mention this point follow Schürer. It is interesting to note that Strack-Billerbeck does not mention the phrase.

161. Jeremias, Jerusalem, p. 252n.26.

162. Ibid p.177; Schweizer, E., ' $\nu\acute{\iota}\omicron\varsigma$ ', IDNI 8, p.365, on the other hand stresses that ' $\nu\acute{\iota}\omicron\varsigma\ \varphi\alpha\rho\iota\sigma\alpha\iota\omega\nu$ means "student of"... "'son of Pharisee' hardly refers to his ancestors but rather to his teachers."; Lightfoot, J.B., St. Paul's Epistle to the Philippians (London: Macmillan and Co., 1890), p. 148. "Perhaps refers rather to his teachers than to his ancestors, being a hebraism".

163. Schürer^{rev}, vol. 2, pp.234, 249-250.

164. Schürer^{rev}, vol. 2, p.234.

165. Josephus, B.J. vi, 114.

166. BGU 1140

167. Josephus, Ant., xiii, 297-8; 401-406. Furthermore the Pharisees have tremendous influence over the kings and High Priests, Ant., xiii, 288, and also court women Ant., xvii, 41-46. It should be noted that in Palestine, the groups that would have had the most wealth and prestige and therefore social status are the High Priests and Sadducees. The Pharisees, generally speaking, were not very wealthy although there were exceptions. Simon is described by Josephus as rich, gifted and intelligent Vita, 191. Vid. Jeremias, J., Jerusalem in the Time of Jesus, p.246. Yet status is a relative term and in Josephus it is the Pharisees that are revered and, to a lesser extent, the same is true in Acts.

168. In a personal letter dated 18 November, 1986.

169. The literature on the Pharisees is enormous. For references from Josephus and the Mishnah see Schürer², vol. 2, pp.381-387. On the whole Christian scholars who defend Acts historicity do not question the statement that Pharisees existed in the Diaspora. E.g. see Weiss, H.F. 'ῥαϊσμός' IDNI 9, pp. 11-48, who takes Pharisees in the Diaspora for granted. Yet Jeremias, Jerusalem, pp.246-267, believes that the Pharisees saw themselves as a "holy community of Jerusalem", p. 248. For older works see Moore, G. F., Judaism in the First Centuries of the Christian Era, 3 vols. (Cambridge: Harvard University Press, 1927-1930); Wellhausen, J., Pharisäer und die Sadduzäer (Greifswald: L. Bamberg, 1874) Strack, H., Billerbeck, P. 'Die Pharisäer u. Sadduzäer in der altjüdischen Literatur' Kommentar Zum Nuen Testament, iv.1, pp.334-352.; Elbogen, I., 'Einige neuere Theorien über den Ursprung der Pharisäer und. Sadduzäer' Jewish Studies in Memory of Israel Abrahams, 1927, pp.135-148.; Finkelstein, L., The Pharisees: The Sociological Background of Their Faith 2 Vols., (Philadelphia: Jewish Publication Society of America, 1938); Manson, T.W., 'Sadducee and Pharisee: The Origin and Significance of the Names' BJRL, Vol.22, 1, 1938.; Baeck, L., The Pharisees and Other Essays (New York: Schochen Books, 1947) and Paulus, die Pharisäer und das Neue Testament, (Frankfurt: Ner-Tamid Verlag, 1961); Alon, G., 'The Attitude of the Pharisees to the Roman Government and the House of Herod' Scripta Hierosolymitana Vol.7, 1961 pp.53-78; Zeitlin, S., 'The Pharisees: A Historical Study' Jewish Quarterly Review 52, 1961-2, pp.97-129.; Finkel, A., The Pharisees and the Teacher of Nazareth (Leiden: E.J. Brill, 1964); Baron, S.W., A Social and Religious History of the Jews, Vol.2 (New York: Columbia University Press, 1966); Green, W. (ed.) Approaches to Ancient Judaism (Missoula: Scholars Press, 1978); Sigal, P. The Emergence of Contemporary Judaism, (Pittsburg: Pickwick Press, 1980); Neusner, J., 'Two pictures of the Pharisees: Philosophical Circle or Eating Club' Anglican Theological Review 64, 1982, pp.525-538. Formative Judaism III (Providence: Brown University, 1983); Sanders, E.P., Jesus and Judaism, (London: SCM, 1985) pp.184-188. Sanders writes to correct Jeremias, op.cit. and states three points: 1) Pharisees were not the only group to hold to a strict interpretation of the Laws; 2) The Pharisees did not intend the laity to follow the Laws as strictly; 3) Pharisees did not dominate Judaism pre-70 C.E.; See Appendix 1.

170. Ant. xx,38-41.

171. B.J i, 110; ii, 162-166; Vita 191.

172. Neusner, J., The Rabbinic Traditions About the Pharisees before 70 C.E., part I "The Masters" (Leiden: E.J. Brill, 1971).

173. Philo, Quod. Omnis, 75-91.

174. Josephus, B.J. ii, 119-161.

175. Beare, F.W., The Gospel According to Matthew, (Oxford: Basil Blackwell, 1981), pp.453-4; Lerle, E., Proselytenwerbung und Urchristentum (Berlin: Evangelische Verlag-Anst, 1960); Hare, D.R.A., The Theme of Jewish Persecution of Christians in the Gospel According to St. Matthew (Cambridge: The University Press, 1967) believes that proselytism was an outgrowth of Jewish concern; Schürer², vol.3, pp.159-160 suggests that, if there was a Jewish mission then it was only among the Jews.

176. For discussion see Appendix 1.

177. The very name meant separation but see Manson, T.W., 'Sadducees and Pharisees' who argues that the name suggests that the Pharisees is the transliteration of the Aramaic

word for "Persian"; Hübner, H., Law in Paul's Thought, trans. J.C.G. Greig, (Edinburgh: T.T. Clark) p.23. Hübner takes for granted that Paul was strict Pharisee.

178. Ant. i,110.

179. Ed. and trans. Williams, F., The Panarion of Epiphanius of Salamis, book 1 (Sects 1-46) (Leiden: E.J. Brill, 1987) number 16, p.38.

180. Jeremias, Jerusalem, p.246.

181. Vermes, G., The Dead Sea Scrolls: Qumran in Perspective (London: SCM Press, 1982) p.120.

182. Josephus, Ant. xix, 292-294; Beg. iv, p.272; See Danker, F.W., Benefactor: Epigraphic Study of a Graeco-Roman and New Testament Semantic Field (St. Louis: Clayton Publishing House, 1982).

183. Gray, G.B., Sacrifice in The Old Testament: Its Theory and Practice, (Oxford: At the Clarendon Press, 1925) p.38-9.

184. Horsley, New Docs 1978, pp.73-4, shows that head shaving was known in a non-Jewish context; see also Horsley, New Docs 1976 p.24; Fox, R.L., Pagan and Christian (New York: Viking Press, 1986) provides numerous examples of costly piety.

185. Van Unnik, Tarsus or Jerusalem pp. 17-45; Conzelmann, Apq. p.125; Haenchen, Acts, pp.624-5.

186. Van Unnik, Tarsus or Jerusalem p.33.

187. Plutarch, Agis-Cleomenes and the Gracchi, apud. Van Unnik, p.22.

188. Ibid.

189. Philo, De Vita Mosis I, 17.

Chapter 4

Paul: The Man of 'APETH

So far, in this dissertation, we have attempted to show that the Graeco-Roman world was, to a great extent, conscious of and indeed built upon a hierarchical system of social status where each person had a place. Furthermore, men of wealth, education and good pedigree were those who held power. Chapter 2 re-stated this social-historical fact. In the third chapter we investigated those biographical claims made by the Lukan Paul while in Jerusalem. It was of great importance that Luke seemed intent on emphasizing his hero's social credentials. According to his portrayal in Acts, Paul was a man of wealth, good birth and education who was proud of his standing in his city of Tarsus, relied upon the advantages of an inherited Roman citizenship and was also a strict Pharisee. It is evident that each of these attributes possessed correspondingly high prestige or status. Our concern was to investigate Luke's description of Paul as a Greek citizen of Tarsus, a strict Pharisee and a Roman citizen and to ask the question: was it probable that Paul could have combined these attributes in the way that Luke described? Our study led us to conclude that although not impossible, it was highly improbable. In these last chapters of Acts, Luke was not simply recording historical facts but was intentionally portraying Paul as a man of high social status.

In this chapter we must press our claim and add to it. Luke was not satisfied to testify to Paul's social credentials alone. He also set Paul forth as an individual who exhibited, particularly after his conversion, the various cardinal virtues of φρόνησις, δικαιοσύνη,

σωφροσύνη, and ἀνδρεία. It was recognized, by the various philosophical traditions which interested those of power and wealth of the day, that the advantages of good pedigree, wealth and education were no guarantees of virtuous action. Likewise, acquired social position and accumulated wealth did not necessarily produce self-control or righteousness, bravery or wisdom. Trimalchio is perhaps the best known example of an individual who had achieved wealth but who had not refined his baser instincts towards gluttony and debauchery'. Wealth, position and glory were external advantages to be enjoyed by the one who possessed them. However, an aristocratic disdain and mistrust are evident for those who sought to cultivate riches and status at the expense of virtuous conduct in personal and civic relationships. An ideal citizen of the Graeco-Roman world combined both secular social status and philosophical virtue and excellence. In this chapter we will show that Luke, or his source, was consciously portraying Paul in such a manner that he exemplified an ideal man of status and ἀρετή.

This chapter will be divided into four parts. First we shall indicate the importance and far-reaching nature of the discussion of virtue in the classical world. Second, we will re-interpret the conversation of Paul and Festus in Acts 26 in order to show the significance of this scene for a proper understanding of Luke's characterization of Paul as a man of virtue. Third, we will argue that one of Luke's main purposes in including the third account of Paul's conversion, and the discussion with Festus which follows, was to emphasize a fundamental relationship between conversion and virtue. Fourth and finally, we will demonstrate that Luke, or his sources, not only used explicit descriptive words and phrases to indicate Paul's

social standing and virtuous character, but implied Paul's status and moral worth by using σύγκρισις, or comparison, a common rhetorical and literary device which juxtaposed characters or groups in the narrative, in order to highlight the excellence of one and stress the meanness of the other. In Luke's case, he sought to highlight Paul's virtue and suggest the shortcomings of Paul's antagonists. To make our broadest concern as clear as possible, we believe that the first readers/hearers of Luke-Acts would have naturally recognized the portrayal of Paul for what it was and would have responded positively to this man who possessed both social status and moral virtue. However, Luke's intention was not only to evoke a passive positive response from his reading public. Rather, we believe that Luke wanted to use Paul as the model of Christianity which would prompt an active desire in his listeners to convert and become like the Apostle.

Therefore, the last eight chapters of Acts are encomiastic in nature in that, in praising Paul, Luke offers an example for his readers to respect and imitate. In formal rhetorical terms, encomium was that part of epideictic oratory which was concerned with praise in order to influence a response from the hearer to imitate the example of the one being praised².

Imitation of Paul

Plato, in his work Protagoras, shows the essential function of praise. He writes that young boys were given ἐγκώμια παλαιῶν ἀνδρῶν ἀγαθῶν ἵνα ὁ πᾶς ζηλῶν μιμῆται καὶ ὀρέγεται τοιοῦτος γενέσθαι³. The desire to imitate virtuous character was not limited to children, nor to those before the turn of the millennium. Epictetus used the

illustration of a purple thread in a white cloth as a metaphor for how the one of excellence stands out from all others as an example to be followed. He writes:

τί δ' ὠφελεῖ ἡ πορφύρα τὸ ἱμάτιον; τί γὰρ ἄλλο ἢ διαπρέπει
ἐν αὐτῷ ὥς πορφύρα καὶ τοῖς ἄλλοις δὲ καλὸν παράδειγμα
ἔκκειται;⁴

Seneca, who quotes Epicurus, writes:

Aliquis vir bonus nobis diligendus est ac semper ante oculos
habendus, ut sic tamquam illo spectante vivamus et omnia
tamquam illo vidente faciamus⁵

And again, from the same letter adds:

Qui sic aliquem vereri potest cito erit verendus. Elige
itaque Catonem; si hic tibi videtur nimis rigidus, elige
remissioris animi virum Laelium. Elige eum, cuius tibi
placuit et vita et oratio et ipse animum ante se ferens
vultus; illum tibi semper ostende vel custodem vel
exemplum. Opus est, inquam, aliquo ad quem mores nostri
se ipsi exigant; nisi ad regulam prava non corriges⁶.

Seneca held Cato up for praise and imitation. We believe that, in Acts, Luke extolled Paul for a similar purpose.

Plutarch, a contemporary of Luke and Epictetus, was a man of wealth and education. Writing for an audience made up primarily of his social equals, he believed that at the philosopher's words the heart of the hearer must not only feel anguish and be convicted, but:

ὁ γε προκόπτων ἀληθῶς, μᾶλλον ἔργοις καὶ πράξεσιν ἀνδρὸς
ἀγαθοῦ καὶ τελείου παραβάλλων ἑαυτόν, ἅμα τῷ συνειδότει τοῦ
ἐνδεοῦς δακνόμενος καὶ δι' ἐλπίδα καὶ πόθον χαίρων καὶ μεστός
ὢν ὁρμῆς οὐκ ἡρεμούσης οἷός ἐστι κατὰ Σιμωνίδην "ἄθλος ἵππῳ
πῶλος ὥς ἅμα τρέχειν" τῷ αγαθῷ μονονουχὶ συμφῦναι γλιχόμενος.⁷

In the literature of Hellenistic Judaism a similar relationship between praise and imitation is exhibited. For example, Eleazar, his sons, and especially his wife, are praised by the author of 4 Maccabees for their faith and courage in the face of death. Eleazar's dying son exclaims to his brothers, "μιμήσασθέ με, ἀδελφοί"⁸. The purpose of the

exhortation was to strengthen others who faced similar experiences and the purpose of the entire work was to praise the courage of Eleazar's family as representatives of the true virtue of their faith. Although far different in tone, the conclusion of the letter of Aristeas to Philocrates, which exalted the wisdom of the Jewish translators and glorified the Jewish religion, concluded with these words which suggest a mimetic intent:

Σὺ δέ, καθὼς ἐπηγγειλάμην, ἀπέχεις τὴν διήγησιν, ὦ Φιλόκρατες. τέρπειν γὰρ οἶομαί σε ταῦτα, ἢ τὰ τῶν μυθολόγων βιβλία. νένευκας γὰρ πρὸς περιεργίαν τῶν δυναμένων ὠφελεῖν διάνοιαν, καὶ ἐν τούτοις τὸν πλείονα χρόνον διατελεῖς. πειράσομαι δὲ καὶ τὰ λοιπὰ τῶν ἀξιολόγων ἀναγράφειν, ἵνα διαπορευόμενος αὐτὰ κομίζῃ τοῦ βουλήματος τὸ κάλλιστον ἐπαθλον.⁹

Although there is considerable disagreement concerning the provenance and date of the work, the character of Joseph is extolled as the paradigm of righteousness to be imitated throughout the Testament of the Twelve Patriarchs¹⁰. For example in the Testament of Dan, Joseph is praised as a man ἀληθινοῦ καὶ ἀγαθοῦ ¹¹. In the Testament of Simeon the speaker describes Joseph as an ἄνθρωπος ἀγαθὸς καὶ ἔχων πνεῦμα θεοῦ ἐν ἑαυτῷ¹². Simeon continues:

φυλάξασθε οὖν, τέκνα μου, ἀπὸ παντὸς ζήλου καὶ φθόνου, καὶ πορεύεσθε ἐν ἀπολόγητι ψυχῆς καὶ ἐν ἀγαθῇ καρδίᾳ, ἐννοοῦντες τὸν πατράδελφον ὑμῶν, ἵνα δῶῃ καὶ ὑμῖν ὁ θεὸς χάριν καὶ δόξαν καὶ εὐλογίαν ἐπὶ τὰς κεφαλὰς ὑμῶν, καθὼς εἴδετε ἐν αὐτῷ¹³.

The Testament of Benjamin, too, offers the portrait of Joseph as the definitive example of virtue. Benjamin exhorts his children:

καὶ ὑμεῖς οὖν, τέκνα μου, ἀγαπήσατε κύριον τὸν θεὸν τοῦ οὐρανοῦ καὶ φυλάξατε ἐντολὰς αὐτοῦ, μιμούμενοι τὸν ἀγαθὸν καὶ ὁσιὸν ἄνδρα Ἰωσήφ¹⁴.

The message of these passages is clear: Imitate Joseph. The readers are to imitate Joseph's piety in keeping the law of the Lord and walking in holiness before the face of the lord (ὑμεῖς δὲ ἔαν πορεύησθε ἐν ἁγιασμῷ

κατὰ πρόσωπον κυρίου)¹⁵. Just as Joseph bore no malice to anyone while in Egypt, the one seeking to imitate Joseph should likewise express no bitterness or resentment against his neighbour¹⁶. Joseph is even praised for guarding himself from women¹⁷. In the Testament of Asher, the patriarch warns his children not to be like the man who is two-faced (διπρόσωπον)¹⁸. What is apparent is that the virtuous man is the holy man who does not seek riches, who lives in peace and is self-sufficient¹⁹.

While not denying that Luke seeks to portray Paul as a righteous pious, law-abiding Jew, the portrait of Paul, which is developed in the last eight chapters of Acts, is much more cosmopolitan than the ideal man of virtue in the Testaments. Both the author of the Testaments and Luke-Acts are familiar with concepts and vocabulary of the Hellenistic world. But, whereas the Testaments clothe their hero in the garb of Hellenistic Judaism, in Acts, Paul, the Jew, is outfitted for the urban Graeco-Roman world.

Furthermore, there is a marked discontinuity between the example of discipleship presented in the Gospels and the example of discipleship presented by Luke in his portrait of Paul in the last eight chapters of Acts. In the Gospels the model disciples dispossessed themselves of riches and became followers of a charismatic leader. In Acts, the paradigm of discipleship is Paul who, as portrayed by Luke, takes advantage of his alleged high social standing, uses his wealth and interacts easily with the high and mighty. Once the narrative moves beyond Jerusalem and the portrayal of Paul becomes central, it does not appear that Luke expects his readers to sacrifice much of anything in the way of wealth, status or power. In Acts, Paul is the representative

of a new, high society Christian.

Likewise, there is an apparent discrepancy between the Paul of the letters, who takes pride in the fact that there are not many who are wise or powerful or well born. (Βλέπετε γὰρ τὴν κλήσιν ὑμῶν, ἀδελφοί, ὅτι οὐ πολλοὶ σοφοὶ κατὰ σάρκα, οὐ πολλοὶ δυνατοί, οὐ πολλοὶ εὐγενεῖς I Cor. 1:26), and the portrayal of Paul and many of his followers in Acts, who are described as possessing just these attributes. The difference between the social program of Paul expressed in his letters and Luke's sensitivity to social status in Acts may be expressed as the difference of perspective from below and from above. Paul, in his letters, indicates that faith in Christ breaks down social barriers so that there is neither slave nor free, neither male nor female. Furthermore, he reverses worldly expectations so that the wise are the foolish and the foolish are the wise. In Acts, Luke seems to offer a different message which purports to raise Christians above their level and join Paul who is the model of the cosmopolitan Christian. Luke seeks to build up the status of the Christians so that the faith will be attractive to the cosmopolitan, status conscious world. Paul, in his epistles, on the contrary, levels status distinctions altogether. Hence, when Paul, for example, writes, "Παρακαλῶ οὖν ὑμᾶς, μιμηταί μου γίνεσθε" (I Cor. 4:16) he is not offering the same model as presented by Luke in Acts²⁰.

We will have cause to return to these fundamental issues of praise and imitation and the example of Christian faith which Luke seeks to offer when we investigate the various ways in which Luke shaped his narrative in order to praise Paul. For now, it is necessary to construct a portrait of an ideal man of social status and moral virtue from a sampling of classical authors from the time of Aristotle to the

second century A.D.. Given the confines of our thesis, we will forego an exhaustive survey. Yet, suffice it to say that there is such a similarity of description throughout the classical world that exact differentiations between philosophers and rhetoricians are not needed. It is well known that Plutarch disagreed with some from the Stoa precisely on the unity of the virtues. However, Plutarch, Zeno and Chrysippus would all have agreed that it is better to be prudent rather than rash, self-controlled rather than incontinent, just rather than rapacious and brave rather than cowardly. Furthermore, to be too formal in our distinctions between the schools of philosophy would be inappropriate given that the lay public who read Acts would not be specialists in any one school but would rather accept, consciously or unconsciously, an eclectic smattering of various approaches. Finally, our intention is much more modest than a formal philosophical discussion in any case. We only want to show that Paul, as portrayed in Acts, exhibits the characteristics of the ideal man of social status and moral virtue that would have been recognized by the first readers of Luke's work.

The Cardinal Virtues

A. Adkins, in his work Merit and Responsibility, contends that "The noun *aretē* and the adjective *agathos*...are...the most powerful words of commendation used of a man both in Homer and in later Greek."²¹ He continues: "Being the most powerful words of commendation used of a man, they imply the possession by anyone of whom they are applied of all the qualities most highly valued at any time by Greek society."²² Likewise, W. Jaeger, in his famous work wrote that in the aristocratic world of

Greece there was a "definite ideal of human perfection to which the elite of the race was constantly trained"²³. This ideal of human perfection was no less true for Republican and Imperial Rome²⁴.

The history and development of the concept ἀρετή with regard to morals and ethics in Greek philosophy, and the translation of this concept into Latin for Roman society by Cicero, and into Hellenistic Judaism by Philo and hence into Christianity in the works of Clement of Alexandria and Origen, is worthy of a detailed study in and of itself. Indeed there have been a number of works devoted to just such an investigation²⁵. This wealth of secondary literature on the subject, and the equally lengthy list of classical authors who have discussed the virtues, proves that the identification and explication of the moral values (ἀρεταί) of the man of ἀρετή (the ἀγαθὸς ἄνθρωπος) was one of the single most important themes of classical literature and philosophy.

Furthermore, the various works devoted to a discussion of ἀρετή and the ἀρεταί suggests that this was not simply an esoteric or academic debate. The words of the classical authors on the subject both reflected and shaped the fundamental notion that Greek society recognized and praised certain values in men and women. These moral values, or cardinal ἀρεταί, were φρόνησις (prudentia, wisdom or prudence); ἀνδρεία (fortitudo, magnitudo animi, courage or endurance); δικαιοσύνη (iustitia, justice) and σωφροσύνη (temperantia, moderatio, verecundia, self-knowledge or self-control).

In the various philosophers, poets and rhetoricians there are slight variations in terms of order, importance and specific vocabulary, but what is significant is the essential integrity and continuity of the terms and concepts pertaining to moral excellence from the time of Homer

into the 2nd century of the common era and well beyond. These moral virtues were the attributes of outstanding individuals. Our contention is that just as Luke purposefully portrays Paul as a man of high social status, so too does he want Paul to possess and exhibit the ideal virtues that would be easily recognized by the reader/hearer of Luke-Acts. Hence, a short discussion of the development of the concept ἀρετή is necessary. As alluded to above, the studies on the classical virtues are numerous and we shall not attempt an exhaustive study of the issue. We do, however, believe that it is important to define terminology that will be of the utmost significance when we return to the text of Acts. In so defining the concepts related to ἀρετή, we will also show how important ἀρετή and the ἀρεταί were to the Graeco-Roman world into which Luke published his two-volumed work.

Ἀρετή, the noun, can mean "goodness", "excellence", or "virtue". For example, Josephus describes the lands of Samaria and Judea as having excellence (ἀρετήν) i.e. they have abundant natural resources²⁶. Furthermore, ἀρεταί could mean "the glorious deeds", "the wonders", or "the miracles" of the gods²⁷ or the heroic qualities of the warrior²⁸. Hence, the collection and writing down of the miracles of gods and divine men [θεῶν ἄνδρες] became known as aretologies.

The glorification of personal honour and prestige was fundamental to the Greek world, at least from the time of Homer, when a man of ἀρετή personified warlike valour. And while, as shown by Strabo and Josephus²⁹, the older definitions of ἀρετή remained meaningful into the first century of the common era, ἀρετή had developed to include the less bellicose virtues necessary for maintaining social order. This development can be seen as early as the 6th century B.C. in the writings

of Aeschylus who described an individual as a σώφρων, δίκαιος, ἄγαθός, εὐσεβὴς ἄνθρωπος³⁰. His emphasis is less on the qualities of the warrior and more on the virtues of self-control, justice and piety.

Xenophon (434?-355 B.C.), in his Memorabilia³¹, depicts his mentor Socrates (470?-399 B.C.) discoursing upon the virtues. On σοφία and σωφροσύνη Xenophon reports that Socrates said:

Σοφίαν δὲ καὶ σωφροσύνην οὐ διώριζεν, ἀλλὰ τὸν τὰ μὲν καλὰ
τε καὶ ἀγαθὰ γινώσκοντα χρῆσθαι αὐτοῖς καὶ τὸν τὰ αἰσχροῦ
εἰδότες εὐλαβεῖσθαι σοφόν τε καὶ σώφρονα ἔκρινε.³²

In the same monologue he concluded, "ὅτι καὶ δικαιοσύνη καὶ ἡ ἄλλη πᾶσα ἀρετὴ σοφία ἐστὶ"³³. Furthermore, Socrates contrasted wisdom with madness (μανίαν) which was understood as a lack of self-knowledge (ἀγνοεῖν ἑαυτόν). The identification of madness (μανία) as the antonym of virtue is significant and will be referred to again in our discussion of Acts 26 when μανία is contrasted to σωφροσύνη.

Besides Socrates and Xenophon, the primary systematic discussions of ἀρετή were developed in the writings of the 4th century philosophers Plato and Aristotle. Aristotle's Nicomachean Ethics is devoted to a discussion of the moral virtues and their value to society. He is also interested in the man to whom these virtues have been given, whom Aristotle calls μεγαλόψυχος. To this "great-souled" man comes honour, "For honour is the prize of ἀρετῆ; it is the tribute paid to men of ability"³⁴ (τῆς ἀρετῆς γὰρ ᾀθλον ἡ τιμή, καὶ ἀπονέμεται τοῖς ἀγαθοῖς). Yet this begs the question, what was it to be a "man of ability"? For Aristotle, the man of ability, or the good man (ὁ ἀγαθός), excelled in each of the virtues. This concept of a man excelling in the virtues continued to play an important part in ethical discussion through the centuries and we contend that Luke, although not being directly

influenced by Aristotle or using the technical term, was concerned to show Paul as a μεγαλόψυχον to his audience.

Plato took for granted that the virtues of wisdom (φρόνησις), self-control (σωφροσύνη), justice (δικαιοσύνη), piety (εὐσεβεία), and bravery (ἀνδρεία), directed the man towards the good (τὰ καλόν). Such a man of virtue was of great value to the polis. Plato wrote:

‘ὁ δὴ πρῶτον αὖ τῶν θείων ἡγεμονοῦν ἐστὶν ἀγαθὸν, ἡ φρόνησις, δεύτερον δὲ μετὰ νοῦ σώφρων ψυχῆς ἕξις, ἐκ δὲ τούτων μετ’ ἀνδρείας κραθέντων τρίτον ἂν εἴη δικαιοσύνη, τέταρτον δὲ ἀνδρεία³⁵.

In this quotation, it is important to note the implication that while each virtue possessed a distinct quality, all of the virtues were, by nature, connected. Hence, the man who was truly wise was also self-controlled, just and brave. The essential connectedness of the virtues was fundamental to most ethical systems and particularly to the ethical thought of Zeno and the Stoics.³⁶

To Plato, this knowledge or practical wisdom, which was the crown of virtues, naturally produced a man of σωφροσύνη, which is usually rendered "self-control", "moderation", "temperance", and "obedience". The most grievous sin, and antithesis of σωφροσύνη, was ὕβρις, which was to lose all self-knowledge and aspire above the human station. Σωφροσύνη also developed as the opposite of violence, sexual licentiousness and drunkenness. Xenophon believed that this moral self-control, which was also expressed by ἐνκρατεία, was the foundation of the palace of virtue³⁷. In his work, Cyropaedia, Xenophon wrote that without self-control other virtues were useless³⁸. Democritus opined, "σωφροσύνη increases delight and makes pleasure greater"³⁹. Plato believed that the man who had σωφροσύνη was absolutely good⁴⁰. Therefore, although true wisdom was always the goal of philosophy and was always the highest

and most noble virtue, σωφροσύνη became the most important practical virtue and was fundamental to society and all relationships. Its importance should not be underestimated. Σωφροσύνη is the virtue Paul possesses after his conversion, as described by Luke in Acts 26. To that scene and its importance for the proper understanding of the characterization of Paul in Acts, we shall return below.

The importance of σωφροσύνη as a mediating and controlling virtue developed further with Aristotle. His entire discussion concerning the virtues presumes that virtue is, by definition, the mean (μέσος) between the extremes which are vices. This Aristotelean notion was translated centuries later by Cicero who wrote "*virtus est medium vitiorum*"⁴¹. This concept of a virtuous mean is also found in Philo who called virtue τὴν μέσην ὁδόν⁴². In the letter of Aristeas, a similar sense is detected: πλὴν ἐν πᾶσι μετριότης καλόν⁴³.

The third cardinal virtue was ἀνδρεία (courage) but, as the word itself shows, it is more literally translated "manliness". In Homer ἀνδρεία was the primary virtue, for the 'manliness' of the warrior, who achieved prowess as a fighter, was the man of ἀρετή. Yet, from signifying specific acts of courage, ἀνδρεία was defined by the philosophers, who were concerned to relate virtuous conduct to the role of the individual in society, as the quality of facing danger. Xenophon used this term to describe the condemned Socrates who faced his death with equanimity⁴⁴. Aristotle defined courage as the mean between cowardly fear and over-confidence⁴⁵ and wrote that ἀνδρεία was "the quality by reason of which men are disposed to do noble actions in times of danger, as the law commands; cowardice is the opposite"⁴⁶. In another place Aristotle added that "to act in a courageous manner for that which

is noble is the full accomplishment of virtue" (τέλος τῆς ἀρετῆς)⁴⁷. It is important to note that Aristotle's comments, on one hand, reflect the traditional sense of courage (i.e. acts of bravery). Yet on the other hand Aristotle stressed that these acts of courage should be controlled by the law and performed only at appropriate times of need - not simply as a retributive response to bruised honour.

In the Hellenistic Jewish writings and for the Greek and Latin church fathers, this manly courage developed into the strength to resist temptation, to endure the agony of persecution, and to face martyrdom with calm assurance. Endurance (ὑπομονή) became the most important attribute of ἀνδρεία.

The fourth of the cardinal virtues was δικαιοσύνη. To the Jew, the word δικαιοσύνη was the translation of *tsedeq* which meant personal righteousness, being in the right relationship with God, and fulfilling his commandments. In Latin this concept was translated by *iustitia* which emphasized personified justice, fairness and equity. Δικαιοσύνη, as used in the Greek literature that has been studied, seems to have defined the individual who followed the accepted way, who respected order, constancy, and the ways of nature. J. Ferguson defines one who is δίκαιος as a man who respects the 'justified claims' of the other, be it another individual, his city or the gods. Included in this definition was the sense of obligation⁴⁸. Of course the concept of δικαιοσύνη included εὐσεβεία and *pietas*. To be just (δίκαιος) was the condition of goodness and thus links justice with piety which was the "right relationship to the higher powers"⁴⁹.

From these basic definitions of the virtues one can easily detect how they overlap one another. Their very connectedness adds to the

essential richness of the concepts. The connectedness of the virtues is obvious in Theognis who writes:

ἐν δὲ δικαιοσύνῃ συλλήβδην πᾶσ' ἀρετὴ 'στι,
πᾶς δέ τ' ἀνὴρ ἀγαθός, Κύρνε, δίκαιος ἔων⁵⁰.

Ferguson, in a summary statement, concludes:

The ideal personality is one in which reason rules, temper is courageous, self-control is established throughout. The just man is the man in whom these conditions fully prevail⁵¹.

The Stoic school founded by Zeno (4th-3rd century), whose followers included Chrysippus, Cleanthes and Hecato, accepted, according to Diogenes Laertius, the primary virtues φρόνησις, ἀνδρεία, δικαιοσύνη, and σωφροσύνη⁵². For the Stoic, to be virtuous was to live in harmony with reason (φρόνησις), for to live in harmony with reason made one independent of fortune. To be absolutely brave (ἀνδρεία) was to ignore pain and death. To be absolutely continent (σωφροσύνη) was not to seek after pleasure as the ideal good. To be absolutely just (δικαιοσύνη) was to be free from the influences of prejudice and favour⁵³. The Stoics made it explicit that the virtues were distinct yet interconnected. An individual who has one virtue has all the virtues. As Diogenes Laertius writes:

τάς δ' ἀρετάς λέγουσιν ἀντακολουθεῖν ἀλλήλαις καὶ τὸν μίαν ἔχοντα πάσας ἔχειν.⁵⁴

Luke, although we would not want to argue that he should be identified as a Stoic, seems to share this understanding of the essential connectedness of the virtues. We shall return to this contention when we study the scene in Acts in which Paul stands before Festus.

Cicero is important to the discussion for several reasons. Firstly, he is a Roman public servant of high status and wealth who lived in the 1st century B.C. and, no doubt, reflected the sensitivity of the Roman

elite. Secondly, Cicero, of all Roman writers, specifically attempted to translate Greek philosophical language into Latin. Thirdly, Cicero wrote about the virtues both in a theoretical way and, even more importantly, in a very practical way, emphasizing the importance of self-control and virtue to his son Marcus⁵⁵. Cicero, in another of his works, presents a definition of the cardinal virtues that is worthy of repeating in full.

About wisdom Cicero writes: "Nature has engendered in man the desire to discern the truth; this is most readily apparent when we are at leisure and eager to understand even astronomical phenomena." On justice, Cicero continues, "From this starting point we are led to the love of all truth, that is all that is trustworthy, straightforward and unchanging, and to the corresponding hatred of all that is idle, false, and deceitful, such as guile, perjury, malice and injustice". Concerning courage: "Reason further contains a noble, glorious element, fitted for ruling rather than obeying, in such a way as to look on our mortal lot as trivial and easily endurable - a lofty and exalted element, which fears nothing, gives in to no one and is for ever unconquerable." Finally Cicero has this to say about moderatio and verecundia (σωφροσύνη): "Mark these three aspects of morality. A fourth follows. It enjoys equal loveliness and is formed from the other three. To it belongs order and self-control. We can see something that resembles it in physical objects, when they are beautiful in appearance, and from there we pass to moral beauty in word and deed. It derives from those three admirable qualities I have already mentioned. It shrinks from rash action, and is not so shamefaced as to harm anyone by wanton word or action. It fears to act or speak in a manner untrustworthy of a

man."⁵⁶ Cicero, although he would not have called himself a Stoic philosopher, shared with the Stoics the understanding that the pursuit of wisdom was the highest calling. Furthermore, Cicero, like the Stoics, considers the virtues to be naturally connected.

Plutarch, who was born in the middle decades of the first century (A.D. 46-47) during the last years of the reign of Claudius and died during the first few years of Hadrian (A.D. 120). His life spanned the Lukan era and reflects the understanding of members of the Greek aristocratic and cultural elite⁵⁷. Furthermore, he was well known in Rome and mirrors certain ethical concerns of the educated people of that city at that time. He wrote a number of homilies and essays on the subject of moral virtue. An admirer of Plato and Aristotle and a self-professed critic of the Stoics and Epicureans, his writing was instructive and popular. His constant concern was to emphasize that the virtues have practical application and that a man should strive to make progress in virtuous action. As we have mentioned above, it is in Plutarch's essay Πῶς ἂν τις αἰσθοίτο ἐαυτοῦ προκόπτοντος ἐπ' ἀρετῇ, that he stressed the importance of imitating one who exemplified virtue. Although in his essay on ethical virtue, and in other places, he attacks the Stoics for depriving the virtues of "both plurality and difference (καὶ τὸ πλῆθος καὶ τὰς διαφοράς), by asserting that virtue is but one, though it goes under many names (ὥς μιᾶς οὐσης καὶ χρωμένης πολλοῖς ὀνόμασι)"⁵⁸, Plutarch suggests the essential unity of the cardinal virtues in his essay Concerning Chance (Περὶ τύχης). He writes that σωφροσύνη is a kind of intelligence (φρόνησίς τις) which renders men virtuous in the midst of pleasure. In perils and labours such prudence

is called καρτερίαν καὶ ἀνδραγαθίαν. In private and public relationships prudence is called εὐνομίαν καὶ δικαιοσύνην⁵⁹.

4 Maccabees and The Wisdom of Solomon provide examples that show that Greek ethical and philosophical terms were not unknown to the Hellenistic Jews. The author of 4 Maccabees shows himself to be fully at home with Greek philosophical language as he states clearly at the outset that his work is a eulogy to the greatest of virtues (τῆς μεγίστης ἀρετῆς), namely φρονήσεως (vv.1-6). Furthermore, from this prudence comes "δικαιοσύνης καὶ σωφροσύνης" (v.6). Another word for prudence is "ὁ λογισμός" (reason) which controls τῶν παθῶν (the passions). The characters in whom these virtues are exemplified are Eleazar, and his wife and sons. Eleazar and his kin died "ὑπὲρ τῆς καλοκάγαθίας" which is equivalent to ἀρετῇ (v.10). Eleazar is μεγαλόφρων and εὐγενής (6:5). The list of cardinal virtues is made explicit in 1:18 and 5:23 and it is important to note that 4 Maccabees exhibits how the virtue ἀνδρεία has taken on a particular importance for martyrdom.

Another important development, one also detected in Philo and in the later apologists, is that the virtues, before they were explicated by the Philosophers, were apparent in the Law of Moses⁶⁰. In 5:23 the author of 4 Maccabees writes that, even though non-believers mock the Law, the Law teaches σωφροσύνην in order that one might control τῶν ἐπιθυμιῶν, and trains one in ἀνδρείαν in order to endure (ὑπομένειν) any hardships. The Law also instructs δικαιοσύνην and εὐσεbeίαν.

Furthermore, the author of 4 Maccabees particularly praises Eleazar's wife who overcame her passionate feelings (τὰ σπλάγχνα αὐτῆς) with pious reason (ὁ εὐσεβῆς λογισμός) which gave her ἀνδρειώσας ("manly courage") to transcend her φιλοτεχνίαν (15.23)⁶¹. Another interesting stylistic

point, one that will be important to the study of Paul in Acts, is the implicit comparison of the King and his soldiers with Eleazar and his family. Eleazar possesses true virtue, the king and his attendants, by comparison, are shown to have few of the virtues expected of a ruler. We believe that similar comparisons are being made between Paul, Felix and Festus.

The most intriguing fact of 4 Maccabees is that in praising Eleazar for remaining faithful to Torah and not sharing the Greek style of life ('Ελληνικοῦ βίου), his panegyric is cast in full Hellenistic garb. This offers at least one indication of the extent to which Jews assimilated to Hellenism. The author aggressively usurps the Greek philosophical language and claims it as his own, yet detests the fact that Jason, who was appointed High Priest by Antiochus Epiphanies, built a gymnasium on the temple mount (ὥστε μὴ μόνον ἐπ' αὐτῇ τῇ ἁκρᾷ τῆς πατρίδος ἡμῶν γυμνάσιον κατασκευάσαι-4.20). Our contention made in the last chapter, that it would have been an anathema for a Jew who prided himself on the strictest of upbringings, to involve himself in the civic celebrations of the Greek city, seems to be supported by Eleazar's witness.

We have already noted above that to the author of 4 Maccabees, true virtue is ideally expressed in pious acts of martyrdom. This does not seem to be the case in Acts where the martyrdom of Paul is, at best, alluded to but not reported⁶². One can see a certain similarity of thought, but not to the same extent, in Luke's description of the martyrdom of Stephen. Luke reports that Stephen was full of grace and power (χάριτος καὶ δυνάμεως) and was a man of wisdom and inspiration (τῇ σοφίᾳ καὶ τῷ πνεύματι ᾧ ἐλάλει- 6:10). While none of the specific cardinal virtues are mentioned, the characterization of Stephen as a man

of ἀρετή seems obvious. His vision of the Son of Man confirms his piety. Furthermore, the virtue which Stephen possesses is dramatically contrasted to the frenzy and total lack of control of the crowd who rushed upon him and stoned him. The virtue of Stephen is also contrasted with Saul who approved of the stoning (7:58; 8:1). This description of Stephen has certain similarities to the description of the pious martyrs described by Eusebius several centuries later. However, Luke's interest in Paul does not include a description of his martyrdom. It is interesting to note that Clement, in Stromateis, wrote that the practice of σωφροσύνη was a preparation for death⁶³. Perhaps Luke was alluding to Paul's death in Acts 26 when Paul claims that he is not mad but is a man of σωφροσύνη. Whatever the reason it seems clear that Luke was not interested in portraying Paul as a pious martyr. Although we will discuss the importance of Saul to the scene in which Stephen is stoned in more detail below, we will indicate here that Luke is concerned to place in sharp contrast Saul before his conversion, who does not possess σωφροσύνη, with Paul after his conversion, who is a character of ideal ἀρετή.

The Wisdom of Solomon, like 4 Maccabees, possesses a natural affinity with the language of Greek virtues for the book opens with the words; Ἀγαπήσατε δικαιοσύνην...φρονήσατε περὶ τοῦ κυρίου, and immediately juxtaposes ἄφρονες (fools) with σοφία (1:3b-4a). Wisdom and justice are recognized as controls of lawlessness and passion. To search for wisdom is "perfect prudence" (φρονήσεως τελειότης) for wisdom teaches "σωφροσύνην... καὶ φρόνησιν... δικαιοσύνην καὶ ἀνδρείαν" (8:7). Ἀρετή is both the source and the goal of Wisdom.

Philo's concern with and discussion of ἀρετή and the ἀρεταί is so

prevalent in his writings that a full study of his use of the terminology could more than occupy the rest of our study. Hence, our comments concerning ἀρετή in Philo will hardly reflect the extent to which Philo used the term⁶⁴. Suffice it to state the obvious: Philo's writings exhibit a fluency with the Greek philosophical discussion and an intimate knowledge of Jewish literature and tradition. To Philo, the 10 Commandments corresponded to Greek ethical teaching and the true *exempla virtutum* came from the Hebrew scripture⁶⁵. Philo, commenting upon Genesis 2:10-14, suggests that each of the cardinal virtues is derived from one of the rivers flowing from the garden of Eden. The river Pheison gives rise to φρόνησις, ἀνδρεία springs forth from Gehon; σωφροσύνη is identified with the Tigris, and the Euphrates represents δικαιοσύνη⁶⁶. Philo uses the standard terms from the Platonic tradition which separated the virtues into the "intellectual virtues" (the divine virtues), the "virtues of the soul", the "virtues of the body" and the "external advantages". The intellectual or divine virtues have God as their object and the vocabulary includes εὐσεβεία (piety), θεοσεβεία (godliness), ὁσιότης (holiness), and πίστις (faith). The virtues of the soul are expressed in terms of the cardinal virtues. The virtues of the body include health, strength, dexterity and the like. The "external advantages" include such things as wealth, glory, status, and birth⁶⁷. To Philo, piety is the highest virtue and the virtue of faith was a ἄγαθον τελείον. Finally, to Philo, the true man of virtue (e.g., Moses, Abraham, Joseph) was rare indeed: "ἀρετὴ γὰρ οὐ πολὺχουν ἐν θνητοῖς γένει"⁶⁸. We will have cause to return to Philo below.

One point that takes on considerable importance is the proposition in Hellenistic Judaism that true knowledge leads to God, from whom all

the other virtues come. Proverbs (LXX) contends:

Ἀρχὴ σοφίας φόβος θεοῦ
σύνεσις δὲ ἀγαθὴ πᾶσι τοῖς ποιοῦσιν αὐτήν
εὐσέβεια δὲ εἰς θεὸν ἀρχὴ αἰσθήσεως
σοφίαν δὲ καὶ παιδείαν ἀσεβεῖς ἐξουθενήσουσιν (1:7)

Likewise, in the letter of Aristeas, the author writes, "καταρχὴν δὲ θείου φόβου λαμβάνων ἐν οὐδενὶ διαπίπτεις"⁶⁹. One can even detect the connection between knowledge of God and true wisdom and courage in the account in Acts 4:13 where the Sanhedrin are amazed by the boldness with which the disciples speak about salvation (ἡ σωτηρία) knowing that the apostles are, by human standards, "ἀγράμματοί εἰσιν καὶ ἰδιῶται". It is no accident that later in Acts Luke indicates that Paul becomes a man of σωφροσύνη, which has its genesis in the proper knowledge and fear of God.

As has already been alluded to, Josephus used ἀρετή in its several common meanings and, like Philo, claimed that the Greek philosophers learned of the cardinal virtues from Moses⁷⁰. Yet, Josephus does not present any full discussion of them. This fact is, no doubt, in keeping with the nature of his writings which are not philosophical but historical in nature. However, it is apparent that the cardinal virtues were well known to him. Agrippa and Vespasian were virtuous leaders who were, by nature, men of σωφροσύνη⁷¹. Josephus, in his retelling of the attempted seduction of Joseph by Petephres' (also known as Potiphar) wife, uses σωφροσύνη in its full range of meanings⁷². In another place, Haman shows himself to be σωφροσύνη and δικαιοσύνη⁷³. Herod is praised for his φρόνησις⁷⁴, and finally Josephus praises the Essenes for their temperance (ἐγκρατείαν) and control of the passions (καὶ τὸ μὴ τοῖς πάθεσιν ὑποπίπτειν ἀρετὴν ὑπολαμβάνουσιν)⁷⁵.

Obviously, from the brief review of the literature thus offered, the virtues were fundamental to any philosophical and ethical discussion. Furthermore, many historians, rhetoricians and essayists freely used the terminology. It is also true that in the traditional apologetic literature of the post-apostolic church, writers were keen to translate the cardinal virtues in Christian terms in much the same way that Philo and the author of 4 Maccabees did in Jewish terms. Given this, it is rather surprising that these nouns and adjectives of excellence are not found in abundance in the New Testament literature. Spicq's recent comments are worth considering:

Il est étrange que ce vocable, si abondamment employé au 1^{er} siècle, soit à peu près absent du Nouveau Testament, du moins au sens de «vertu»... ignore des Evangiles et de Actes⁷⁶.

It is true that the noun ἀρετή is employed sparingly in the New Testament. Ἀρετή is found four times in the literature, and only once is it used in a way that reflects the sense of cardinal virtues in the authors mentioned above. Paul uses the term once, in the phrase "εἴ τις ἀρετή" (Phil. 4.8), in his parting remarks to the church at Philippi. Paul exhorts his listeners to consider as important (λογίζεσθε) those things which are ἀληθῆς, σεμνά, δίκαια, ἁγνά, προσφιλεῖς, and εἴ τις ἑπαινος. Of significance is Paul's admonition to the Philippians to imitate what they have heard and seen from him. Luke also hopes, by his characterization of Paul, to evoke a mimetic response from his readers. However, we believe that whereas Paul, in the letter to the Philippians, seeks to maintain the faithful in the community, Luke, in Acts, desires to attract those outside the faith.

Ἀρετή is found three times in the Petrine epistles. In I Peter 2.9

the author refers to the ἀρετάς of God, meaning by it, God's wonderful acts. As one would expect there is a difference sense altogether in the second epistle. In II Peter 1:3, there is a suggestion that the believer shares in the ἀρετῇ of God who is the source of everything that is needed to live a devout and pious (εὐσέβειαν) life. As a result of sharing God's excellent virtue, the believer is set free from the "consuming lust of the world" (τῆς ἐν τῷ κόσμῳ ἐν ἐπιθυμίᾳ φθορᾶς). Σωφροσύνη or self-control, was the very opposite of Lust. II Pet. 1:5-7 continues the discussion and reflects the ethical and philosophical understanding of the Greek ἀρεταί. The author writes:

...ἐν τῇ πίστει ὑμῶν τὴν ἀρετὴν, ἐν δὲ τῇ ἀρετῇ τὴν γνῶσιν, ἐν δὲ τῇ γνῶσει τὴν ἐγκράτειαν, ἐν δὲ τῇ ἐγκρατείᾳ τὴν ὑπομονήν, ἐν δὲ τῇ ὑπομονῇ τὴν εὐσέβειαν, ἐν δὲ τῇ εὐσεβείᾳ τὴν φιλαδελφίαν, ἐν δὲ τῇ φιλαδελφίᾳ τὴν ἀγάπην.

It is important to note that here ἀρετὴ heads the list which includes γνῶσιν, which is fully within the semantic range of σοφία or φρόνησις; ἐγκρατεία, which is one of the most common words associated with σωφροσύνη; ὑπομονή, which, as we have shown above, is included in ἀνδρεία; and εὐσεβεία, which describes a proper respect and acknowledgement of God and hence suggests true δικαιοσύνη. O. Bauernfeind is correct when he concludes, "Here a notable formal analogy points us to the secular world."⁷⁷ It is this understanding of virtue that is reflected in Acts and it is these virtues that Paul personifies. Like this passage in II Peter, and similar to the examples given in the Hellenistic Jewish literature, Luke recognizes and demonstrates through the action in the narrative, that these virtues come from God.

Looking up the ἀρεταί in the New Testament literature does not provide much in the way of evidence. Of course δικαιοσύνη and its

derivatives are common, yet most of these reflect an Old Testament antecedent, not Graeco-Roman ethical language, although the two are not mutually exclusive⁷⁹. The participial form of the verb σωφρονέω is found in Mark 5:15 (par. Luke 8:35) to describe the demoniac who is healed and sits "in his right mind". In Roman 12:3 Paul uses the word to indicate that the believer is not to think of himself too highly but with σωφροσύνη (sober judgement) judge himself according to the amount of faith God has given. In II Cor. 5:13 Paul writes "εἴτε γὰρ ἐξέστημεν, θεῷ, εἴτε σωφρονοῦμεν, ὑμῖν". The contrast between insanity and sanity reflects a similar understanding to Luke's use of the words μανία and σωφροσύνη in Acts 26. Again, in I Peter 4:7 the author tells his audience to be self-controlled (σωφρονήσατε) as they await the end of all things. Σωφροσύνη is used once by Luke in Acts (26:25) but, as we have indicated in a number of places, its inclusion at that point in the narrative is of the utmost importance as we shall show below.

It is interesting to note that of the eighteen times that σωφρονέω, and its derivatives appears in the N.T., ten are in the pastoral epistles⁷⁹. Φρόνησις is found twice, once at Luke 1:17 where the angel tells Zechariah that John will turn the disobedient to φρονήσει δικαίων. In Ephesians 1:8, the author uses both σοφία and φρόνησις. Ἀνδρεία is not found at all in the New Testament, although ὑπομονή is frequent⁸⁰, and εὐσεβεία, which was so important a virtue for Philo, is found once in Acts(3:12), four times in II Peter (1:1,3,6,7;3:11) and eight times in I Timothy. Of course the lists of virtues and vices found in Galatians 5:19-23, and the triad of christian virtues πίστις, ἐλπίς and ἀγάπη listed in I Corinthians 13:13, are well known, but neither reference presents any explicit dependence on the cardinal virtues of

Graeco-Roman philosophical discussion⁹¹.

While it would be interesting to investigate the language of the New Testament in light of our interest in the cardinal virtues, our immediate concern is with the Paul of Acts and how he is described. Considering that ἀρετή is never used in Acts and that σωφροσύνη, φρόνησις, and εὐσεβεία are found only one time each in Luke-Acts, it would appear, *prima facie*, that Acts is not making any deliberate claims suggesting that Paul was such a man of ideal social status and virtue. However, just as we have argued in the previous chapter that the reader of Luke-Acts would have recognized the Paul of Acts as a man of high social status primarily through implicit allusions, so too would they recognize the allusions to Paul's moral virtue and outstanding character. Luke's intention is apparent not simply through the explicit words and phrases, for Luke was not writing a philosophical or ethical treatise, but rather by the juxtaposition and implicit comparison of characters, and, most importantly, from how Paul acted in certain dramatic situations. Before we attempt to return to the text of Acts to present the evidence for this claim, a few words must be given to the fundamental correlation of social status and moral virtue.

Although it is true that many of the classical authors to whom we have referred believed that true wisdom and virtue could, in theory, be found in anyone regardless of wealth and pedigree, it is also true that it was assumed that the virtues were the natural attributes of the aristocracy. From the time of Homer it was impossible to disassociate leadership and ἀρετή. The aristocratic world of early Greece had a definite ideal of human perfection, and it included moral virtue as well as wealth and social position. It is not an accident that, as a class,

these powerful, wealthy and leisured individuals were called the aristocracy. As mentioned at the start of this section, the adjective ἄγαθος and the noun ἀρετή were "powerful words of commendation" and therefore could easily be used to describe those who possessed a position of power, status and wealth. Homer displays this usage clearly when, in the Odyssey one of the suitors of Penelope states "we are οἱ ἀρίστοι". These men are ἀρίστοι because, as they claim, they have changes of clothing, warm baths, and they are able to enjoy the pleasures of love⁸². Hesiod naturally accepted that the best man (παναρίστος) attained to material success and good reputation⁸³. Theognis assumed that aristocratic excellence was fundamental to ἀρετή, and wealth was naturally a by-product⁸⁴. As was stated in chapter 1, society in the Greek world was essentially aristocratic and, even in Athenian democracy of the 4th century B.C., some were more equal than others. Citizenship was never simply handed out to everyone, and those of wealth and status were expected to maintain their position and prestige through benefactions and liturgies.

Pindar (7th/6th B.C.) assumed that the man of ἀρετή started in life with the natural advantages of birth and wealth⁸⁵, although the man of birth and wealth must always be careful of ὕβρις. Wealth and ἀρετή were closely linked by Homer and Hesiod. Xenophon's Cyropaedia is a testament to Cyrus and his outstanding leadership. Cyrus is truly a man of ἀρετή. Cyrus, as described in books I-III, was born into a royal family whose wealth and aristocratic character provided him with all the natural advantages that would allow him to develop into an individual of excellence. Likewise, to Aristotle the μεγαλόψυχος was naturally ἀρίστος⁸⁶.

It is true that Philo wrote: ἀπορώτατος μὲν οὖν καὶ ὁ μέγας βασιλεὺς ἀναφανεύεται κατὰ σύγκρισιν μιᾶς ἀρετῆς⁸⁷ and affirmed that true virtue was judged by conduct and not descent⁸⁸. Few would have disagreed. Seneca's writings are replete with references to the fact that wealth is a hindrance to happiness and virtue⁸⁹ and Cicero is obviously sensitive to the fact that wealth without decorum is hardly virtue⁹⁰. Yet what was no doubt true in theory perhaps did not find its full implication in reality. There were Cynic philosophers to whom wealth and prestige were hindrances to wisdom and freedom, and in so being, were attributes to be dismissed. However, for the Platonic and Aristotelean tradition, external advantages were not to be cast away. Likewise, for those of the Stoic school, 'preferables' were to be accepted and retained if available⁹¹. Aristotle reflects such an attitude when he writes:

ἀδύνατον γὰρ ἢ οὐ 'ράδιον τὰ καλὰ πράττειν ἀχορήγητον ὄντα. πολλὰ μὲν γὰρ πράττεται, καθάπερ δι' ὀργάνων, διὰ φίλων καὶ πλούτου καὶ πολιτικῆς δυνάμεως.⁹²

Cicero believed that the governing class, which was assumed to be the aristocracy, would provide examples of virtue, particularly σωφροσύνη. Cicero also believed that decorum (propriety), which should be translated into the vernacular as "breeding", was part of every man of virtue. He was also loathe to consider any man who worked with his hands virtuous, particularly "Cetarii, lanii, coqui, fartores, piscatores."⁹³ It is difficult to find specific instances in these aristocratic philosophers, yet one gets the impression that money was to be despised only if one had to work for it. Wealth was a natural advantage that could be the source of leisure for philosophy and also be the source of many a benefaction which was also a mark of the virtuous man.

Plutarch's comments, found in his homily on virtue and vice (Περὶ

'Αρετῆς καὶ Κακίας), reflect the ambiguity of the aristocratic philosophers concerning wealth and possessions. It is true that, at the outset of his remarks, Plutarch scorns those who seek glory in great houses (οἰκίας μεγάλας), numerous servants (πλήθος ἀνδραπόδων) and wealth (χρημάτων). However, Plutarch does not dismiss wealth entirely as he goes on to write:

καὶ πλοῦτος ἡδίων καὶ δόξα λαμπροτέρα καὶ δύναμις, ἂν τὸ ἀπὸ τῆς ψυχῆς ἔχη γῆθος...⁹⁴

While φρόνησις was the highest virtue and philosophy was the way to achieve it, there were limits to a lay person's involvement in the practice of any one school. For example, Tacitus was concerned that Agricola devoted himself too eagerly to the study of philosophy and was on the verge of going farther than "was befitting to a Roman and a Senator."⁹⁵ Perhaps R. MacMullen expresses it best when he notes that "specialization in one school, even what we would call real competence in any, belonged to pedants, not to gentlemen."⁹⁶ Hence, one need not argue that Luke was a philosopher or that his audience would have had to be specialists in philosophical enquiry. Luke's vocabulary reflects the semantic range of his contemporaries and shows his familiarity with these concepts.

Needless to say, the figures who interested the biographers, poets, philosophers and the common man were those few who combined both wealth and virtue, authority and righteousness. The virtuous man was the one who balanced both the heroic virtues of Homer with the "quiet" virtues of δικαιοσύνη and σωφροσύνη. With the virtues thus described, the next task of this chapter will be to show how these issues are important for the proper understanding of the characterization of Paul in the

concluding chapters of Acts.

Acts 26

The most important instance in Acts, where Luke makes an explicit mention of one of the cardinal virtues, is 26:25. When Festus cries out: "μαῖνη, Παῦλε· τὰ πολλά σε γράμματα εἰς μανίαν περιτρέπει" (v.24), Paul responds: "οὐ μαίνομαι, φησὶν, κράτιστε Φῆστε, ἀλλὰ ἀληθείας καὶ σωφροσύνης ῥήματα ἀποφθέγγομαι". Not only is this one response of crucial importance as an interpretative key to the reader/hearer of Luke-Acts but indeed the entire chapter resonates with images that would have been obvious to Luke's audience. Paul, who "sees the light" at his conversion is changed into a man of truth and self-control. Festus' response is full of ironic import, for Festus could not be more incorrect. Paul has converted not to madness but rather, in recognizing Christ, he has become a man of true virtue corresponding to his natural advantages of good pedigree, wealth, and high social status, as described by Luke. Walaskay's comment that Festus called Paul mad because he wanted to release him for "reasons of insanity" is hardly an appropriate interpretation⁹⁷. Walaskay not only presses his misguided interest in stressing the fairness of the Roman authorities to the extreme but he also misses the pregnant literary intention of the narrative.

Chapter 26 has been of interest to the commentators for many reasons. However, the scholars we have read have failed to notice the extent to which the issues raised in this one scene are important to the overall portrait of Paul in Acts and to the theological intention of the work as a whole. Firstly, Paul, in chapter 26 tells, for the third

time, of his conversion. There are a number of differences between this account and the other two. For example, there is no mention of Ananias, who plays such an important role according to the accounts in Acts 9 and 22. There is no explicit mention of Paul's blindness, although the voice of Jesus commissions Paul to open the eyes of both Jew and Gentile from darkness (αἰόλος) to light (φῶς). Hence, there is the problem of historicity⁹⁹. Secondly, it has been noticed that chapter 26 contains, in the words of one scholar, "a number of stylistic excellences that compare favourably with the preface"⁹⁹. Thirdly, every astute scholar we have read notices and comments upon Luke's use of the Greek proverb in v.14 and mentions the classical juxtaposition of πάντα with σωποσύνη.

We will add very little to the debate concerning the differences among the three conversion stories and the issue of historicity. The arguments for and against are well known¹⁰⁰. We believe, however, that the reader of Luke-Acts would have been less interested in the differences and would remember the earlier accounts and therefore, would naturally assume that the mention of Ananias and Paul's blindness would be parts of this third story as well. Moreover, although many scholars have noticed the "stylistic excellences", the chapter is not without its rough phrases and awkward syntax¹⁰¹.

Concerning the proverb in verse 14, the classical references are commonly noted¹⁰² and the translation of the proverb by O. Bauernfeind, who interprets the proverb to mean that opposition to God is worthless and impossible, is as obvious as it is certainly correct¹⁰³. Yet, for the most part, commentators do not proceed to study this proverb in any more depth; rather, they are satisfied to note the classical parallels and contend that the use of the proverb shows Luke to be well-read and

possibly to have been directly influenced by Euripides¹⁰⁴. However, since the proverb is found in other literature with the same general meaning and the other similarities between the Bacchae and Acts are not exclusive to them, it seems best to conclude that this proverb was a fixed saying of common meaning that was known and used by many¹⁰⁵. It is, of course, interesting that this Greek proverb, which, as far as the evidence shows, does not have an equivalent in Hebrew or Aramaic, is put in the mouth of Jesus who speaks to Paul in "τῇ Ἑβραϊδὶ διαλέκτῳ" (v.14). The comments of Dibelius reflect the general critical appraisal of the inclusion of this proverb in verse 14. He writes that the proverb is out of place in this context and was added:

...simply because the author was an educated man, for only a familiarity with such phrases can explain the use of the saying here, where it is not really appropriate... It is intended to show that Paul is among those who have struggled against God in vain; it is also intended to provide for the educated reader the pleasure he will find in this kind of literary embellishment.¹⁰⁶

We believe that the presence of this proverb, while being out of place in the sense that it is a Greek proverb in Aramaic, is hardly just a literary embellishment. Indeed the imagery of the proverb is fundamental to Paul's third account of his conversion. Before his conversion he was "kicking against the goads" and hence he was ruled by μανία, whereas after his conversion he speaks with truth and σωφροσύνη (v.25).

As mentioned above, many scholars note the literary parallels to this proverb and agree as to the meaning, but fail to see its significance in light of the chapter as a whole, particularly in connection with the Greek virtues. In Bacchae 795 to "kick against the goads" means to "rage against god" which is the opposite of self-control and self-knowledge that is fundamental to the meaning of σωφροσύνη.

Furthermore, "to kick against the goads" is hardly a sign of δικαιοσύνη or εὐσεβεία. In fact, to "kick against the goads" is a futile attempt to overstep one's position vis-a-vis the gods, or God. Hence, it is ὑβρίς. The reader of Acts would find the same imagery in an earlier scene where Herod has beheaded James, imprisoned Peter and is raging against the inhabitants of Tyre and Sidon (Ἦν δὲ θυμομαχῶν Τυρίοις καὶ Σιδωνίοις, Acts 12:1-25). We will see that in Acts 26:9-11 Paul describes his own fury and madness. It is no accident that after Luke has described Herod's tyrannical madness, Herod is struck down for accepting the accolades that "his is a voice not of a man but of god". Ὑβρίς receives its just reward.

This proverb in Acts 26, and the entire scene, must be interpreted in the light of its implications for the larger study of virtue. Evidenced in other classical literature, the proverb is found in discussions of the relationship of virtue and nobility. This is made explicit in the two references from Aeschylus and Pindar.

The context in which this proverb appears in Aeschylus' Agamemnon is an increasingly vitriolic dialogue between the chorus of elders and Aegisthus who has murdered Agamemnon. The elders have told Aegisthus that the gods will revenge the murder of the king. Aegisthus responds that the elders should be schooled in "σωφροσύνη" and learn "φρόνη" ¹⁰⁷. In a phrase reminiscent of Matthew 13:9 (and pars.), Aegisthus questions them: "οὐχ ὁρᾷς ὁρᾶν τάδε;", and then quotes the proverb "πρὸς κέντρα μὴ λάκτιζε, μὴ παίσας μογῆς" ¹⁰⁸. In this context it is Aegisthus who warns the elders not to oppose his authority and power. This use of the proverb is a clear example of ὑβρίς on the part of Aegisthus and the irony of this whole dialogue is plain. It is Aegisthus who has lost all

self-control (σωφροσύνη) and wisdom (φρόνη) in the killing of Agememnon and it is he who is "kicking against the goads" of fate as the penultimate verse of the play suggests¹⁰⁹. We are not attempting to argue that Luke was directly influenced by this scene just described. However, the opposition of the cardinal virtues σωφροσύνη and φρόνησις with the futility of "kicking against the goads" is important to note and can also be found in Acts 26.

Pindar, in the Pythian Odes, uses this proverb in the context of a warning to the envious who strain after what cannot be theirs and strive, to the point of suicide, to obtain what they desire¹¹⁰. As in Agamemnon, to "kick against the goads" is contrasted with self-control and the acknowledgement of what can and cannot be yours. It is interesting to note that the speaker identifies that he, in contrast to those who "kick against the goads", wants to "please them that are ἀγαθοίς, and to consort with them." The "good" are those who do not "kick against the goads". While this intention is no doubt clear, ἀγαθοίς also is a descriptive term of nobility and the connection between moral virtue and social status, as we have noted above, is fully within the semantic range of the term.

H. North, in an appendix to her study of σωφροσύνη, has investigated the imagery related to the word in classical literature¹¹¹. According to North, the favourite image for σωφροσύνη in ancient literature is the mastery of a wild beast¹¹². Surely this imagery is reflected in Acts 26:11 where Paul describes himself as being "furiously enraged", or "raged beyond measure" in his single minded madness to persecute the Christians (περισσῶς τε ἑμμαινόμενος αὐτοῖς ἐδίωκον...)¹¹³.

Additionally, the use of word, ἑμμαινόμενος, in verse 11, is related to

the use of *παίνη*, *πανία*, and *οὐ παύομαι* in verses 24 and 25. To this verse we shall return below. Although not using the proverb, Luke's account of Stephen's speech, in Acts 7, displays the same imagery. Stephen accuses the Jewish leaders of having obstinate and uncircumcised hearts who are always resisting the holy spirit (*ἀντιπικτετε*-7:51). In other words, the Jewish leaders are "kicking against the goads". It is appropriate that Paul, although not described in any detail, is reported as being present at this scene (8:1). At this point in Acts the reader receives not a formal description of the man, but a glimpse of his inner character. Paul is in sympathy with the fury of the crowd.

Furthermore, it is no coincidence that the word *ἐξαιπούμενος* (rescuing) is used in 26:17 to signify what Jesus has done for Paul by commissioning him to preach the Gospel. Paul is not only rescued from the wrath of the Jews and the idolatry of the Gentiles but is further rescued from his own self-destructive ravings against the Holy Spirit. Paul, before his conversion is not a man of *σωφροσύνη*; hence, he rages not only against the Christians but also against God¹⁴. It is obvious to us that Luke is using images that would have been readily understood by the first reader/hearers of Acts. The pre-conversion Paul lacks moral virtue for he resists God. Likewise, those who fail to recognize the power and status of Jesus as Lord do not have *φρόνησις* and hence, do not possess *ἀρετή* in the most full sense. Before discussing this claim in more detail, it is important to comment upon verses 24-25 which make the pre-conversion *πανία* and post-conversion *σωφροσύνη* of Paul explicit.

Like the proverb in verse 14, the opposition of *πανία* with *σωφροσύνη* in verse 25 has not gone unnoticed. Indeed, the explicit juxtaposition of *πανία* and *σωφροσύνη* in Xenophon's Memorabilia is often noted¹⁵.

Haenchen has written that "μανία is the opposite of the Greek virtue σωφροσύνη which Paul possesses"¹¹⁶. Plümacher adds "er [Paul] besitzt nach Lk also die griechische Tugend der σωφροσύνη"¹¹⁷. Despite these comments, there is little, if any, development of this important juxtaposition¹¹⁸. For example, although many have noted the reference to Xenophon, no one that we have read has added that in this particular section of the Memorabilia, Xenophon is describing Socrates' teaching about self-control (τί σωφροσύνη;) and madness (τί μανία;) in the context of a larger discussion about the moral virtues in general and how the knowledge of these things make for a gentleman (ἄ τοὺς μὲν εἰδότας ἤγειτο καλοὺς καὶ ἀγαθοὺς εἶναι). Xenophon also notes that Socrates, in his teaching, contrasted μανία with σοφία¹¹⁹. Luke, we believe, is offering a similar argument, although in not quite the same systematic way as Xenophon's description of Socrates' elucidation. That there are many instances where Luke shows a literary sensitivity and a knowledge of other classical authors is no doubt true and often noted. That Luke is writing to an audience who would recognize such additions is not in question. The point of our investigation is to understand just how systematic the portrayal of Paul is in terms of this language of moral virtue and social status.

Returning to the text of Acts, there is no small irony in the reaction of Festus who declares that Paul's erudition has turned him (περιτρέπει) "to madness" (εἰς μανίαν). The image of turning is most important in this chapter for ἐπιστρέφαι is used to describe what Paul's mission will be:

ἀνοίξαι ὀφθαλμοὺς αὐτῶν, τοῦ ἐπιστρέφαι ἀπὸ σκοτὸς εἰς φῶς
καὶ τῆς ἐξουσίας τοῦ σατανᾶ ἐπὶ τὸν θεόν... (v.18)

Likewise Paul is told to preach repentance and "ἐπιστρέφειν ἐπὶ τὸν θεόν" (v.20). Paul, because of his acquired knowledge that Jesus is Lord and cannot be resisted, has turned from μανία to σωφροσύνη. Festus, who does not have the same φρονήσις (proper knowledge), assumes just the opposite character. Festus is shown by comparison with Paul to still be in his μανία. In other words, the portrayal of Festus, and Roman authority in general, as just and righteous is hardly correct. The importance of the juxtaposition of characters, in order to highlight the worthiness of one and emphasize the shortcomings of another, will be discussed below. Our understanding of the numerous implications of this scene is not as subtle as it might appear. The juxtaposition of μανία and σωφροσύνη, like the appearance of the proverb in verse 14, would conjure, for the first readers/hearers, the images and words naturally used in a discussion of virtue.

An intriguing parallel to this scene in Acts is found in the Oxyrhynchus Papyrus¹²⁰. Some have noticed that the juxtaposition of μανία and σωφροσύνη is present in this report; yet again, none of the scholars that we have read has investigated the evidence in any depth nor described just how similar this report is to Acts 26. The proceedings recorded in the papyrus take place at Rome before an Emperor¹²¹ in connection with an embassy from Alexandria and a sentence of death is pronounced upon one of its members, Appianus. Appianus is a rebel who, although the Emperor seemingly wants to set him free, is unrepentant and destined for execution. Before Appianus is led away, he asks the Emperor if he might be allowed to wear the insignia of his nobility (εὐγενεία). As he is taken from the court into the street he cries out to the Romans who are scattered about: "θεωρήσατε ἕνα ἀπ' αἰῶνας

ἀπαγόμενον γυμνασίαρχον καὶ πρεσβευτὴν". This declaration seems to stir up the crowd, for Appianus is recalled inside and the fascinating dialogue between Appianus and the Emperor commences:

Αὐτοκράτωρ- Ἀππιανέ, ἴωθαμεν καὶ ἡμεῖς μαινομένους καὶ ἀπονενοήμενους σωφρινίζειν[sic] λαλεῖς ἐφ' ὅσον ἐγὼ σε θέλω λαλεῖν.

Ἀππιανός - νῆ τὴν σὴν τύχην οὔτε μαίνομαι οὔτε ἀπονενόημαι ἀλλὰ ὑπὲρ τῆς ἐμαυτοῦ εὐγενείας καὶ τῶν ἐμοὶ προσήκοντων ἀπαγγέλλω.

Αὐτοκράτωρ- πῶς;

Ἀππιανός- ὥς εὐγενῆς καὶ γυμνασίαρχος.

Αὐτοκράτωρ- φῆς οὖν ὅτι ἡμεῖς ἀγενεῖς ἔσμεν;

Ἀππιανός- τοῦτο μὲν οὐκ οἶδα ἐγώ, ἀλλὰ ὑπὲρ τῆς ἐμαυτοῦ εὐγενείας καὶ τῶν ἐμοὶ προσήκοντων ἀπαγγέλλω.

Αὐτοκράτωρ- νῦν οὐκ οἶδας ὅτι οὐκ ἀγενεῖς ἔσμεν;

Ἀππιανός- τοῦτο μὲν εἰ ἀληθὲς οὐκ οἶδας, διδάξω σε, πρῶτον μὲν Καῖσαρ ἔσωσε Κλεοπάτραν... [the text ends]

Although there are some major differences both scenes take place in a context of a legal hearing²². Each of the hearings is presided over by the Roman authority; the Emperor in the case of Appianus and the Governor in the case of Paul. The Emperor judges with the help of a tribunal, Festus with the help of Agrippa. Appianus attracts the attention of the Romans outside of the courtroom and Paul makes his appeal, in Acts 25, to Caesar in front of an audience of high status individuals who gather to hear him. Despite the Emperor's hesitancy, Appianus is condemned to die. Likewise, the account in Acts is explicit - although Festus, like Felix before him, wanted to release Paul he in fact does nothing to keep Paul from being sent to Rome on a capital charge. The question of the "appeal" will be discussed below. Both Paul and Appianus are accused of raving and both deny the description. However, Paul comports himself as a man of self-control and declares that he speaks truthful words and is a person of σωφροσύνη, while

Appianus declares that he is of high status (he is well-born, an elder and a gymnasiarch). Appianus' declaration that his high status should somehow protect him from death is an interesting point to which we will have cause to return when we investigate the legal scenes in Acts in more detail. Paul's social status is not made explicit in this scene; however, the reader/hearer would no doubt recall the descriptions of Paul already alluded to in chapters 21-23. Furthermore, those who come to hear Paul are individuals who possessed high local status (ἐξοχῆς τῆς πόλεως), high military authority (χιλίαρχος), not to mention Festus, Agrippa and Bernice (25:23f). Needless to say, this would hardly be the kind of audience that one would expect if Paul were some simple artisan of low social status. We do not believe that there is a formal dependence of one account with the other; yet the context and the dialogue of each scene revolves, to a large extent, around the character and status of the accused. Luke is aware of the connection between social status, moral virtue and legal innocence.

Hence, in Acts 26, Luke shows that, after his conversion, Paul is a man of true moral virtue which includes true understanding (φρόνησις). It is made explicit by Luke that Paul exhibits σωφροσύνη and, therefore, he should be listened to and imitated. Plutarch's inclusion of the words of Plato in the former's discussion of virtue is apposite:

Ὅταν οὖν οὕτως ἀρχώμεθα τῶν ἀγαθῶν ἔρᾳν, ὥστε μὴ μόνον κατὰ Πλάτωνα μακάριον μὲν αὐτὸν ἡγεῖσθαι τὸν σῶφρονα, "μακάριον δὲ τὸν ξυνήκοον τῶν ἐκ τοῦ σωφρονοῦντος στόματος ἰόντων λόγων"²³.

Not only does Paul have true understanding and exhibit self-control; he is, furthermore, declared innocent (26:31-2) and is shown to be in a proper relationship with God. Hence, Paul possesses δικαιοσύνη. Finally it would not be too far fetched to add, that the reader/hearer

would remember that Paul had been in prison for over two years (24:27). Hence Paul was a man of ὑπομονή which, as we have shown above, was an attribute of ἀνδρεία¹²⁴. That Paul, who is the man of high social status and moral virtue, should declare his allegiance to Jesus, effectively presents Jesus as a man of authority, the giver of true virtue and the one to whom those of true virtue should direct their εὐσεβεία.

That true virtue is dependent upon conversion is not only recognized by Luke in Acts, it is also made explicit in the writings of Philo. In De Virtutibus Philo writes:

πάγκαλον γὰρ καὶ συμφέρον αὐτομολεῖν ἀμεταστρεπτι πρὸς ἀρετὴν κακίαν, ἐπίβουλον δέσποιναν, ἀπολιπόντας ἅμα δ' ἀναγκαῖον ἔπεσθαι, ὥς ἐν ἡλίῳ σκιάν σώματι, καὶ τῇ τοῦ ὄντος θεοῦ τιμῇ πᾶσαν τὴν τῶν ἄλλων ἀρετῶν κοινωνίαν. γίνονται γὰρ εὐθύς οἱ ἐπηλύται σόφρονες, ἐγκρατεῖς, αἰδήμονες, ἡμεροὶ, χρηστοί, φιλάνθρωποι, σεμνοί, δίκαιοι, μεγαλόφρονες, ἀληθείας ἐρασταί, κρείττους χρημάτων καὶ ἡδονῆς· ἐκεῖ καὶ τουναντίον τοὺς τῶν ἱερῶν νόμων ἀποστάντας ἰδεῖν ἔστιν ἀκολάστους, ἀναισχύντους, ἀδίκους, ἀσέμνους, ὀλιγόφρονες, φιλαπεχθήμονες, ψευδολογίας ἐταίρους καὶ ψευδορχίας, τὴν ἐλευθερίαν πεπραχότας ὄψου καὶ ἀκράτου καὶ περμάτων καὶ εὐμορφίας εἰς τε τὰς γαστρός ἀπολαύσεις καὶ τῶν μετὰ γαστέρα, ὧν τὰ τέλη βαρύνονται ζημίαι σώματός τε καὶ ψυχῆς εἰσι.¹²⁵

To convert is to become virtuous and all the virtues, connected as they are, come immediately to the one who shows repentance (μετάνοιαν)¹²⁶. With this quotation from Philo in mind we return to the text of Acts and remember that in Peter's first sermon to the gathering at Pentecost he declares, "repent" (μετανοήσατε) and be baptised in the name of Jesus. Paul, likewise, preaches repentance (μετανοεῖν) to the Gentiles who, in response to this gospel, will do works in keeping with repentance (ἄξια τῆς μετανοίας ἔργα). What is implied in Peter's speech and is made clear in this speech of Paul is that repentance, which is the turning to the true source of knowledge, brings true virtue.

In conclusion, in this scene in Acts, Luke emphasizes that Paul the Roman citizen, citizen of a Greek city and Pharisee, is the social equal of those who have gathered to hear him. Yet Luke is not merely claiming that Paul is as good as those to whom he speaks. Rather, Paul is, due to his conversion on the road to Damascus, an example of σωφροσύνη and an implied comparison of Paul with his audience occurs. Those who do not believe in the name of Jesus are "kicking against the goads" and are not σώφρονες. Hence, although those who hear Paul may have wealth, good pedigree and power, they do not possess the true moral virtue that comes from God alone. Therefore, there is an evangelistic function to this story. Luke is concerned to tell his readers who include "μικρῶ τε καὶ μεγάλῳ", that Paul, who is of high social standing and moral virtue, preaches so that "πάντας τοὺς ἀκούοντάς μου σήμερον γενέσθαι τοιούτους ὅσοτος καὶ ἐγὼ εἰμι παρεκτός τῶν δεσμῶν τούτων." This interest in Paul's social status, moral virtue and the implicit comparison of Paul with other characters in the narrative can be found elsewhere in Acts and it is to these scenes that we now turn.

Paul and His Antagonists

We have advanced a position that Luke was not only concerned to show that Paul was a man of high social status but that Paul was also a man of moral virtue. Furthermore, we concluded the section by suggesting that Luke had an evangelistic purpose by implying that the one who converted and believed in the name of Jesus became an individual of moral virtue. Also implicit in our argument was that those who did not convert did not possess true virtue or, for that matter, status as a citizen of the Kingdom of God. We contended that this underlying theme

could be found in several important scenes in Acts. Before we continue our investigation of social status and moral virtue in specific pericopae in Acts, mention must be made of the common rhetorical practice of σύγκρισις, or comparison, which was part of any character description (ἔκφρασις προσώπου) as taught in the classical school exercise (προγύμνασμα). While a full discussion of these rhetorical practices is hardly necessary in light of the fact that a study has already been completed¹²⁷, a few words are necessary for we believe that throughout Acts Luke places Paul in the company of those of high political and social status. In so doing, Luke makes implicit comparisons and inevitable judgements on the moral virtue of these characters that redound to Paul's glory and lessen the overall status and virtue of the characters with whom Paul is juxtaposed.

In a recent doctoral dissertation, R. MacKenzie advanced a simple, yet well documented thesis that Luke used the common rhetorical devices of his day to write the Acts of the Apostles¹²⁸. Furthermore, the first readers/hearers of Luke-Acts would have recognized the natural use of such techniques and been sensitive to the implications of such common rhetorical devices for the meaning of any given pericope and indeed the text as a whole. Mackenzie relies heavily on the work of Theon, a second century author, whose Progymnasma is his only extant work, and adds both theoretical and practical examples from the classical authors. Of particular importance to our study is his discussion of σύγκρισις, or comparison¹²⁹. Mackenzie, relying on Theon, defines σύγκρισις as a comparison of the character (προσώπων) and actions (πραγμάτων) of individuals by placing them side by side¹³⁰. After defining his terms, Mackenzie goes on to show how Luke uses this technique in four scenes in

Acts (4:32-5:11; 8:4-40; 21:37-9 and 22:25-28; 9:32-10:48). His study shows clearly that comparison and implicit judgement do take place in each of these four scenes. Mackenzie provides a useful point of departure for our study, for we too believe that Acts was being read by an audience who would have recognized such literary and rhetorical techniques of composition. We are, however, surprised that Mackenzie did not notice or choose to comment upon the many other scenes in Acts that juxtapose Paul and another character or characters. Hence, although Mackenzie's work is informative and helpful, more needs to be done.

Although we argued that Acts was not a formal panegyric of Paul, we also pointed out, as many have done before us, that Paul was Luke's hero and the subject of special attention and praise throughout Acts. Hence, certain devices used in praising individuals would have been naturally assumed by Luke. Aristotle, in his book on rhetoric, writes that praise is founded on action (ἐκ τῶν πράξεων ὁ ἔπαινος)¹³¹, for acting according to moral purpose is characteristic of a worthy man. Since praise is the language setting forth the greatness of virtue (ἐστὶ δ' ἔπαινος λόγος ἐμφανίζων μέγεθος ἀρετῆς); the orator or writer must show that the individual's actions were virtuous¹³². Aristotle then adds that the point of praising anyone is to exhort other individuals to change and to be more like that one who is praised (οὖν ἔχομεν ἅ δεῖ πράττειν καὶ ποτόν τινα εἶναι). The nature of praise, according to Aristotle, is to counsel the hearer to imitate the one who is held up for recognition¹³³. We believe, as stated at the outset of this chapter, that Luke, while not necessarily being directly influenced by the writings of Aristotle, presents numerous examples of ways of praising Paul in order to exhort his audience to believe and be like him. We have shown the likelihood

of this intention in the previous section.

Aristotle continues that if there are not enough specific data with which to make a list of the praiseworthy accomplishments of the individual to be praised, then an effective way of highlighting the virtues of the person is to compare him with others (πρὸς ἄλλους ἀντιπαραβάλλειν). Aristotle goes on to say that it is important to compare the individual with illustrious persons for if the individual being praised can be shown to be more worthy than known men of distinction so much the better for that person being praised¹³⁴. Aristotle also adds that if there are no illustrious persons with which to make a comparison, then the character should be compared with ordinary persons, "since superiority is thought to indicate virtue" (διὸ καὶ μὴ πρὸς τοὺς ἐνδόξους, ἀλλὰ πρὸς τοὺς ἄλλους δεῖ παραβάλλειν, ἐπεὶπερ ἡ ὑπεροχὴ δοκεῖ μνηύειν ἀρετὴν).

Cicero too, in his later years, wrote on oratory and rhetorical skill. Although he contends that panegyric is more the art of the Greeks, he does include several comments that are important to our study. While he considers that desirable qualities such as family, good looks, resources, and riches, are not in and of themselves virtuous or to be praised, virtue is, nevertheless, discerned in those individuals who employ and manage these goods of nature¹³⁵. Cicero claims that praise is appropriate for those of outstanding merit and is especially fit for those individuals who have faced danger to help others, met adversity wisely, or did not lose their dignity in difficult situations. He writes:

Magna etiam illa laus et admirabilis videri solet tulisse
casus sapienter adversos, non fractum esse fortuna, retinuisse
in rebus asperis dignitatem¹³⁶.

Cicero, like Aristotle, recognized the important function of comparison: "est etiam cum ceteris praestantibus viris comparatio in laudatione praeclara"¹³⁷. Quintilian too believed that the proper function of panegyric was to praise virtue and that comparison necessarily dealt with the degree of virtue and vice of individuals¹³⁸. Plutarch's Lives are a testimony to the importance of comparison in literature. We have already admitted that Acts is not a formal encomium or panegyric, nor does it present itself as a generic type of which Plutarch's work is a formal example. However, we have also argued that much of the last eight chapters of Acts is in praise of Paul bringing to the fore his social status and virtuous character. One of the ways in which Luke accomplished his task was to use the standard and very common literary device of comparison.

In conclusion, comparison of characters and the implicit judgement which followed was commonplace and taken for granted in all types of epideictic and forensic oratory and literature¹³⁹. Hence, as we return to the text of Acts, this fundamental classical (and modern) technique will be of the utmost importance for a proper understanding of the extent to which Luke portrays Paul as a man of social status and moral virtue.

We have alluded to the importance of the comparison of characters and the implicit judgement that follows in Acts 26 where Paul is shown to be a man of *σωφροσύνη*; in Acts 21:38 where Paul is insulted by the misunderstanding that he is no more than an Egyptian agitator; and in 22:28 where his inherited citizenship is compared to the purchased citizenship of the Tribune. In each of these scenes, the comparison and subsequent judgement is intentional: Paul is not only not an Egyptian he

is a Greek citizen; Paul is not only a Roman citizen, he is a Roman by descent, not purchase. In passing, we might note that a clear example of a positive judgement by comparison can be found in the speech of Paul to the Jews of Jerusalem. Trying to impress them by listing his strong Jewish credentials, he recounts the tale of his conversion. In order to indicate that even after conversion he has not turned his back on his Judaism, he mentions that Ananias was an "ἄνθρωπος εὐλαβής" who was respected by all the Jewish inhabitants (22:12). Here, Paul is trying to share the status of Ananias and the respect with which he was held.

Acts 27

The account of the storm at sea and the shipwreck in chapter 27 is yet another scene where there is an implied comparison and judgement of characters. Very little need be said on this well discussed narrative¹⁴⁰. Few miss the fact that Paul plays, in the words of W. Ramsay, "the part of a true Roman on a Roman ship, looked up to even by the centurion, and in his single self the saviour of the lives of all."¹⁴¹ Furthermore, it is often noted that Paul, despite the presence of the ship owner and the centurion, knows from the outset the dangers that are to come, and assumes command of the ship even though he is a prisoner. Although Ramsay is indeed correct that Paul is portrayed as a "true Roman", he is incorrect to accept the historicity of this portrayal and he fails, as do all others who make comments to that effect, to define what a "true Roman" is.

The journey by ship to Rome follows Paul's interview with Festus and Agrippa. As we have argued, the purpose of the hearing before Governor and King was to show that Paul possessed true moral virtue and Festus

and Agrippa did not. Now, in this telling of the shipwreck, the readers/hearers are given an example of how Paul, the man of ἀρετή, responds to adversity. Cicero's words quoted above, concerning dignity in times of adversity, is apposite. In this scene, Paul is shown to be brave in that while the ship, and everyone on it, is overtaken by the total chaos of the storm, Paul does not, like the narrator and the other passengers, lose heart (27:21-26). Furthermore, Paul is the paragon of self-control as he assumes command of the foundering craft (27:21). Paul's piety is illustrated not only in that he has a conversation with an angel (27:23) but also in his ministrations and prayers over the bread (27:35). Here, Paul exemplifies the classical cardinal virtues of σωφροσύνη, ἀνδρεία, and εὐσεβεία even though the technical terms are not used. The Roman centurion, and all the others on the ship pale by comparison. They do not accept a warning from Paul who shares his knowledge with them (21:11); they are afraid (27:17) and they give up hope (27:20).

Acts 24:10ff.

In Acts 24, the implicit comparison and judgement of Paul and Felix, that Luke naturally intends the reader to make, works on both the level of moral value and social status¹⁴². Paul, after the plot on his life is made known to him, is taken to Caesarea (23:33) and appears before the Governor, Felix, and his wife, Drusilla. In response to their request to speak about faith in Jesus, Paul "διαλεγόμενου δὲ αὐτοῦ περὶ δικαιοσύνης καὶ ἐγκρατείας καὶ τοῦ κρίματος τοῦ μέλλοντος" (24:25). Felix is alarmed by this forceful sermon and sends Paul back to his cell with the promise of future meetings. The scene ends with a

report that Paul was in prison for two years, the implication being that Felix was never converted. He called for Paul only in expectation of a bribe.

Marcus Antonius Felix represents an antithesis of the Pauline character. Paul has been described, just two chapters earlier, as a man of good pedigree and wealth. Having all the proper citizenships, he is a man of high social status. Felix, on the other hand, although in a position of high political authority that was usually held by one of high social status, was far from possessing a prestigious pedigree.

Felix, the brother of Pallas who was a favourite freedman of the Emperor Claudius, succeeded Ventidius Cumanus as procurator in A.D. 54¹⁴³. Before his rise to the position of procurator, Felix had held office in Syria and Judea. The promotion of a freedman to a position of authority became increasingly more common in the second century but during the middle decades of the first century it was highly unusual and those of high social status in Rome were scandalized when Claudius appointed Felix to the equestrian order¹⁴⁴. Felix, who would never have been mistaken as one of the *honestiores*, used his position of intimacy with Claudius to secure his position. His term as procurator was marked by misrule and fierce attacks on insurgents. He caused a great deal of disaffection on the part of the nation and eventually was recalled to Rome¹⁴⁵. Tacitus, whose remarks about Felix are both a testimony to the way in which individuals of long standing social status viewed Felix and to Felix's less than effective tenure, wrote: "per omnem saevitiam ac libidinem ius regum servili ingenio exercuit."¹⁴⁶

Though not describing Felix's prodigality in detail or reporting on the circumstances of his background with the acerbic disdain of Tacitus,

Luke, or his source, was, nevertheless, aware of Felix's reputation, as the subjects of Paul's sermon to him shows. F.F. Bruce, in his commentary, asserts that justice, self-control and the coming judgement "were the very subjects that Felix and Drusilla most needed to hear about."¹⁴⁷ That Felix and Drusilla needed to hear these words may be true, but in saying only this Bruce misses the importance of these subjects for Luke's larger interest in moral virtue.

We have already identified δικαιοσύνη and ἐγκρατεία as being fully included in the general category of the cardinal virtues and it is no accident that Paul preaches on these subjects here. 'Εγκρατεία is almost synonymous with σωφροσύνη specifically related to self-control in matters of sexual license¹⁴⁸. For Paul to preach this way to Felix hardly makes the Governor appear in a positive light. Seneca, although there is no dependence on Luke's account in Acts, seems to have an account such as this in mind when he wrote:

Maximum indicium est malae mentis fluctuatio et inter simulationem virtutum amoremque vitiorum adsidua iactatio.¹⁴⁹

Felix's unsteadiness is made plain from the content of Paul's talk. Moreover, Felix's wavering between patience and vice is highlighted in his seeking to listen to Paul but also seeking a bribe (24:26). Felix was, according to Josephus, well known for taking bribes, although it was against the law for anyone to take money for either imprisonment or release of a prisoner¹⁵⁰. The ending of this scene is an ironic reminder of the opening speech of Tertullus (24:2-8) who praises Felix as a benefactor and ends his remarks by asking for Felix's understanding judgement (ἐνείκεια) - attributes that Felix decidedly does not possess.

The relationship of Drusilla and Felix was not without scandal.

Felix had married Drusilla after, so the story goes, calling upon Atomos, a Cyprian magician to conjure Drusilla away from Aziz, king of Emesa¹⁵¹. It is interesting to note the textual variants dealing with the relationship of Felix and Drusilla. The accepted text reads: μετὰ δὲ ἡμέρας τινὰς παραγενόμενος ὁ Φηλιξ σὺν Δρουσίλλῃ τῇ ἰδίᾳ γυναικὶ οὕσῃ Ἰουδαίᾳ ... (24:24). Haenchen argues that ἰδίᾳ is here unemphatic and hence does not allude to the questionable character of the marriage¹⁵². Yet, as the textual variants indicate, Haenchen's confidence should not be accepted out of hand¹⁵³. The commentators in Beginnings of Christianity, with their usual sensitivity, write of this scene:

Luke is probably sensitive to the marital irregularities of the Herods, but he also had an interest in the sins of money, and he presently intimates that Felix was greedy for a bribe.¹⁵⁴

Haenchen, while noting the dubious character and reputation of Felix, still concludes that Felix was an "able and honourable" man who was almost convinced of the truth of the Gospel¹⁵⁵. To Haenchen, Luke might have known of the scandals but he covered them up in order to present the Roman authorities as friends of Christianity. We believe that Haenchen, and the many scholars who hold a similar view about Luke's attitude to Roman authority, has misread the text on several points. Firstly, there is little, if any, evidence that the text of Acts presents Felix as either "able" or "honourable", as the bribe and Felix leaving Paul in prison suggest. Secondly, Haenchen has placed far too much emphasis on Felix being troubled by Paul's words and is assuming too much to think that Felix was almost converted. We contend that Felix accepted Paul's sermon in much the same way as Herod accepted John the Baptist's (Luke 3:18-20). Thirdly, we disagree with Haenchen that Luke intended to portray Roman authority in a positive light. Rather,

Luke was interested in showing Paul to be the superior of Felix both in social status and in moral virtue. Even if the first readers/hearers of Acts did not know of the numerous scandals related to Felix, this scene in Acts presents Paul as the preacher of δικαιοσύνης and ἐγκρατείας, while Felix is hardly the personification of the Roman ideals of justice and fairness! It is no accident that this scene follows closely upon Paul's recital of his pedigree (21:37; 22:25). That Paul is a man of high social status and moral virtue would only add to his overall appeal and call into question Felix's true stature, and, by extension, the stature of Roman authority in general.

Having thus noted the significance of σύγκρισις, which concerns the juxtaposition of characters, in these two scenes, we will now briefly consider several other passages in Acts where Paul and his associates are contrasted and compared with individuals and groups to the glory of Paul and Christianity and to the detriment of those who do not believe.

Acts 16

In chapters 16, 17, and 19 the excellence of Paul is highlighted by both the company he keeps and the company he does not keep. Chapter 16 is a much studied pericope with a great deal of attention focused on the form and redactional issues involved in the story of the earthquake and the conversion of the prison guard (16:25-34)¹⁵⁶. Paul's confession of his Roman citizenship is also noted and a great deal of speculation revolves around the question of why Paul waited until the morning to proclaim his social advantage that would have saved him from a beating¹⁵⁷. We shall return to the issue of Paul's alleged Roman citizenship and legal privileges in the next two chapters. Of interest

to us, at this juncture, is the fact that in 16:20-21, an implicit comparison is made between the Roman citizens who, along with the crowd, drag Paul before the magistrates to receive a beating and imprisonment, and Paul and Silas. The two disciples described as Jews who are disturbing the city are also, as the reader will find out, Roman citizens too. The comparison of Roman citizenships is more subtle but no less forceful in this scene than in Acts 22. The Roman citizens who stir up the crowd and the Roman magistrates are hardly the paragons of Roman justice and order.

Polybius wrote that mob-rule (ὀχλοκρατία) was the lowest grade of democracy¹⁵⁸ and certainly few others would have disagreed¹⁵⁹. The Roman citizens are guilty by association in that they stir up the crowd (ὀχλοποιεῖν) and the Roman magistrates are also accessories to this injustice. The crowd (ὄχλος) is often mentioned in Luke-Acts (forty-two times in Luke and twenty-two times in Acts). Although the crowd follows Jesus and is often the main audience for his teaching (e.g. Luke 8:4) the crowd is decidedly fickle in Acts as it can hardly be restrained from offering sacrifices to Paul and Barnabas (14:18). Yet, in the next verse, the mob is persuaded by the Jews of Antioch and Iconium to stone Paul (14:19)! The crowd marvels at the miracles of Philip (8:6) but is more often than not the cause of disturbance, unrest, violence and confusion (16:22; 17:13; 21:34,35)¹⁶⁰. Paul and Silas, who proudly refuse to leave the prison until a formal apology has been made, are hardly part of or associated with the throng. Of even greater importance than the legal issues is the comparison that is made between two types of Roman citizens. On the one hand there is the mob; on the other hand, there are Paul and Silas.

It is therefore no accident that Paul and Silas, in the following scene, are joined by "devout (σεβομένων) Greeks and not a few of the leading women" (17:4)¹⁶¹ while the Jews are described as jealous¹⁶², and are in the company of the rabble (τῶν ἄγοραίων) (17:5). Luke has intentionally set these two groups at odds precisely in terms of social status. First it is the Roman citizens who ally themselves with the rabble, now it is the Jews.

References to the disdain of classical authors to crowds (ὄχλοι) and the people of the marketplace (τῶν ἄγοραίων) are replete¹⁶³. The rabble consisted of the lower sort who were easily agitated. By definition they were vulgar. ^{Lake and Cadbury} recognized the implicit comparison and wrote:

...the word ἄγοραῖος is contrasted with well-born, refined and educated, and is associated with the ill-bred coarse class, especially hucksters and artisans. The etymology of the word suits the reference to this working class, and the Greek scorn for the petty trading and labouring class had given the word its unfavourable meaning. Whether Luke himself shared this feeling is uncertain.¹⁶⁴

^{Lake and Cadbury's} While ~~the~~ definition shows his sensitivity to the comparison and implicit judgement occurring in this scene, he does not carry this specific insight to other scenes in Acts. Furthermore, while we would not argue that Luke despised the lower classes, a judgement about their vulgar status is implied. We believe more confidently than ^{Lake and Cadbury} ~~—~~, that, particularly in Acts, Luke sets Paul and the Christians above the crowds. In any event, the judgement expected by the contrast of the market-people who are with the Jews and the leading women and devout Greeks who are with Paul is made plain.

Acts 17:11

Another explicit contrast is presented by Luke in Chapter 17. What

is interesting about this one is that the contrast is between two groups of Jews. On the one hand are the Jews of Thessalonica who have just caused a riot and associated themselves with the wicked rabble, while on the other hand Luke writes that the Jews in Beroea "ἦσαν εὐγενέστεροι τῶν ἐν Θεσσαλονίκη" (17:11). Luke goes on to add that their nobility is evidenced because they received the Gospel with πάσης προθυμίας. As we noted in the introduction of this dissertation and emphasized in our study of Paul's third presentation of his conversion in Acts 26, it would not be unreasonable to conclude that nobility is, in Luke's eyes, dependent upon an eagerness to believe. Here, in chapter 17, our judgement is confirmed. Luke does not seek to implicate all Jews in the unrest and reported violence against Paul. Neither does Luke intend to portray, contrary to J.T. Sanders' recent thesis alluded to in the introduction, Christianity as turning its back on a Jewish mission. It cannot be denied that most Jews in Acts are hostile to the gospel and there is an anti-Palestinian Jewish slant to some scenes in Acts. However, some truly noble Jews are naturally attracted to the Gospel and their acceptance of Paul reflects that nobility. Luke's concern is to invite anyone who recognizes the matchless eminence of Paul and wants to be associated with him.

Acts 19:23ff.

At Ephesus (19:23ff.), Luke has no need to make explicit the contrasting status and virtue of the opposing parties. Demetrius, at first glance, might seem the type of individual who would have had attractive characteristics. He is a devotee of Artemis and he is wealthy. Yet, Luke is swift to point out that his piety is false and

self-seeking. Again, as in the other cities which Paul enters, the inhabitants create an uproar. They lose all self-control as they drag Gaius and Aristarchus into the theatre. Paul, by contrast, is kept away from the disorderly gathering by his friends the Asiarchs (19:31)¹⁶⁵, who were individuals of status and authority, wealth and prestige. Not only is Paul's social status enhanced by his friendship with the Asiarchs, but Paul is contrasted with the crowd. Likewise, Paul's faith in Christ, who is the source of σωφοσύνη, is contrasted with the faith of the Ephesians in Artemis which is expressed in hysteria.

Acts 11:24ff

Luke's overriding concern to give his readers the right impression of Paul and Christianity is noticeable in that so many of the converts and followers of "the Way" are those of high status. This has been noted before by many. What has not always been noticed is Luke's concern to show the moral virtue of Paul and the converts as well. For example, Barnabas is described as an ἄνθρωπος ἀγαθός (11:24). This designation has not gone unnoticed¹⁶⁶. In fact F.W. Danker has shown that the title is one of great honour¹⁶⁷. Moreover, as we noted at the outset of this chapter, to be an ἄνθρωπος ἀγαθός is equivalent to being a man of ἀρετή. What is important and unique about our interest in this particular text is that Barnabas is an ἄνθρωπος ἀγαθός because he is full of the Holy Spirit (11:24). That here the Holy Spirit is the vehicle not only of grace but also true moral virtue recalls Paul's conversion as told to Festus and Agrippa. Furthermore, it is interesting and important to this scene, and our argument, that immediately after this description of Barnabas, he travels to Tarsus to find Saul. Saul who, at this point in the

narrative, has not yet been portrayed as a man of high social standing and moral virtue, is still in his Christian infancy and hence is raised in status because of his association with Barnabas. Faith is both the source and the result of true virtue and true status in the eyes of God.

Acts 13:4ff.

Another scene where σύγκρισις becomes an important factor is evidenced in chapter 13 when Paul and Barnabas convert the proconsul Sergius Paulus. Haenchen, Plümacher, Walaskay and Lüdemann emphasize Sergius Paulus' Roman status and use this conversion as evidence for Luke's concern to describe all Romans in a positive manner. While we recognize Sergius Paulus' rank and status, we believe that of even more importance to this scene is the description of Sergius Paulus, who is called an ἄνθρωπος συνετός. Σύνεσις (wisdom, or understanding) was recognized by Aristotle as one of the intellectual virtues (διανοητικάς) along with σοφίαν and φρόνησιν¹⁶⁸. Prudence (φρόνησις) and wisdom (σύνεσις) shared the same object, but whereas prudence issued commands, wisdom allowed for good judgement (κρίνειν καλώς)¹⁶⁹. Diogenes Laertius, in the context of describing Zeno, notes that the Stoic Chrysippus placed σύνεσις and εὐβουλία (good counsel) under φρόνησις¹⁷⁰. Philo too recognized σύνεσις as one of the cardinal virtues as he exhibits in his description of Moses who, to Philo, was the man of ἀρετή par excellence¹⁷¹. That Sergius Paulus is noted as a man of σύνεσις and is a Roman citizen only adds to his general distinction and makes his comparison with Bar-Jesus even more striking. That Bar-Jesus is a false prophet and a magician does not place him in a highly regarded circle as far as Luke is concerned¹⁷². The reader is left with little doubt that

Sergius Paulus will follow Paul and Barnabas rather than Bar-Jesus by the fact of his intelligence, which allowed him to make a good judgement about the truth of the Gospel.

It would be redundant to mention all the individuals of high status who are described in Acts as being associated with the Gospel, for they has been noted often¹⁷². However, we would want to add that the major point in Acts is that individuals or groups who receive the Gospel and are converted, or who are sympathetic and supportive of Paul and the Christians, are subsequently recognized as possessing virtuous characteristics and are often characters of high social status. Likewise, those who do not receive the Gospel are either those of low status, or associated with them, or, if they do have certain qualities related to high status (Festus, Felix, Agrippa), they are contrasted to Paul who, as we have shown, is a man of both moral virtue and social status. Luke was concerned to show by implication that the source of true moral virtue was Jesus and the way to reach this level of excellence was through faith and conversion.

Acts 18:24-6

Before closing this chapter, brief mention must be made of the relationship of Apollos with Aquila and Priscilla in 18:24-26. This relationship not only highlights Luke's interest in comparison and judgement of characters, but it also is an explicit presentation of how Christians, no matter what their original objective social status, can hold high status and authority in the Kingdom of God.

Aquila and Priscilla are introduced in 18:3 as tent makers (ἦσαν γὰρ σκηνοποιοὶ τῇ τέχνῃ). Most likely these tents were leather and,

although tent making is not considered the meanest of craft professions, it was hardly a profession, of those of high social status¹⁷⁴. That Paul shared this craft does not easily coincide with his high social standing that is so prevalent elsewhere. It is interesting to note that the codex D omits σκηνοποιοὶ τῇ τέχνῃ, hence removing the problematic phrase. This raises the possibility that a later editor or scribe noticed that, in Acts, converts were usually those of high status and so removed the name of the craft to lessen the incongruity¹⁷⁵.

In contrast to W. Ramsay, A. Deissmann emphasized Paul's tentmaking and concluded that Paul was from the lower classes¹⁷⁶. More recently, R.F. Hock has argued that Paul, although he was a man of high social status, assumed a profession in order to become self-sufficient¹⁷⁷. Hock goes on to argue that Paul was aware of his considerable loss of status (1Cor.9:19; 2Cor 11.7). Furthermore, Hock focuses upon the word ταπεινῶν (humbling or degrading) and decides that Paul reflects an upper class disdain for work of that nature. Hock's interpretation is ingenious, yet attempts too much in reconciling Acts with Paul's letters. In our reading of the passages of Corinthian epistles, Paul is more concerned to show his self-sufficiency than his self-sacrifice of high status. The words of Paul are in the context of comparing himself with other travelling disciples who live off the proceeds of the community - an alternative that Paul chooses not to accept. Most recently, P. Lampe has concluded that the tents Paul made were probably sewn from the famous linen of Tarsus. These tents were not for military use but were bought by the wealthy who sought protection from the summer heat¹⁷⁸. Lampe goes on to suggest that if his thesis is correct, then Paul was a linen worker and hence, could not have been a citizen of

Tarsus, as noted by Dio Chrysostom¹⁷⁹. While Lampe's suggestion does affirm the tradition of Paul's profession and his home town, and we would agree with him that Paul was not a full citizen of the Greek city Tarsus, his thesis is unprovable and his conclusion is rather speculative.

One could argue that Paul's craft is evidence that Luke was here emphasizing Paul's Pharisaic background for, as is well known, the rabbinic tradition expected rabbis to have a craft. This takes on added weight in light of the fact that Aquila and Priscilla are introduced as Jews (18:2)¹⁸⁰. This understanding of the scene in Acts 18 has its merits. However, the problem remains that, although Priscilla and Aquila are sympathetic to Christianity, Luke does not indicate, as in the case of other converts, that they possess a high status, nor does Luke use any language which would necessarily suggest that they possess virtue. Priscilla and Aquila were probably not poor but there is nothing in the text that would suggest their high social status¹⁸¹. Hence, it would seem that here is a case that is contrary to our insistence that Luke consistently portrays followers of Paul as persons of high status and moral virtue. However, it is at this point that the figure of Apollos becomes important for he is given a title that suggests education and status.

Luke describes Apollos as an ἄνθρωπος λόγιος from Alexandria (18:24). The prestige of the city of Alexandria would be well known and although there is some argument as to the exact meaning of this term, no one would disagree that the title ἄνθρωπος λόγιος suggests Apollos' eloquence and erudition. Yet despite his eloquence and his bold preaching in the synagogues, Luke writes that Priscilla and Aquila have to correct his

teaching (18:26). That Apollos is explicitly placed under the authority of Aquila and Priscilla, who have fuller understanding of the Gospel, raises them to a high degree of authority and status based on the principle of comparison expressed above¹⁸². Luke does not need to indicate specific status qualifications. He does it by means of his narrative. That Aquila and Priscilla possess proper understanding of the faith puts them in the circle with Paul and their status would rise accordingly.

Conclusion

At this point it is important to summarize before moving on. In this and the preceeding chapter, we have advanced the argument that Luke was intentionally portraying Paul in such a way as to highlight his social status and moral virtue in order to present Christianity as attractive to those who read Luke-Acts. Paul is portrayed as a man of good birth and heritage; he is upright in character, well educated, pious, and wealthy. In addition to all of this, he is a citizen of Tarsus, a citizen of Rome and the strictest of Pharisees.

Luke naturally used the rhetorical practices of his day and his audience would, likewise, intuitively have understood and recognized his objective. In the various scenes in which Paul stands before, and is implicitly compared with, those in authority, Luke's intention is to emphasize that Paul's social credentials and virtuous character place him in elite company. Even if Paul does not possess the official titles of his antagonists, he shows that he is their moral superior. The point of praising Paul, as Luke did, and showing that in his conversion Paul became a man of σωφροσύνη, suggest an evangelistic intention. This

message invited readers to recognize the foolishness of "kicking against the goads" by trying to stem the tide of Christianity. Gamaliel's words to the Council are important in this context:

ὅτι ἐὰν ᾗ ἐξ ἀνθρώπων ἡ βουλή αὕτη ἢ τὸ ἔργον τοῦτο, καταλυθήσεται, εἰ δὲ ἐκ θεοῦ ἐστίν, οὐ δύνησεσθε καταλῦσαι αὐτούς, μήποτε καὶ θεομάχοι εὗρεθῇτε. (5:38-9)

In the next chapter, Paul's social status will again be investigated but now in light of the legal scenes in Acts. Those scenes in which Paul relies upon the legal rights of the citizenship of Rome have always been taken as verification of Paul's citizenship and objective historical evidence for Roman legal procedure in the first century. We must admit to skepticism concerning the first of these claims. Moreover, while we would agree that the scenes in Acts reflect a knowledge of Roman law, we would confess that we do not accept the historicity of the scenes in their entirety. Rather, what the trial scenes in Acts give evidence for is the knowledge that in the first century, only those of high social status could effect the legal privileges that were, at least on paper, granted to all Roman citizens. We contend that Luke, or his source, has shaped these scenes to focus attention, once again, on Paul's social status. Scant attention has been given by New Testament scholars to the relationship of social status and legal privileges in the Graeco-Roman world and it is to a study of this aspect of the legal scenes in Acts that we will now turn.

Notes to Chapter 4

1. Petronius, Satyricon, passim.
2. Cicero's Pro Marcello, is one of the classical examples of panegyric. The differences in context, form and the style between Cicero and Luke-Acts is obvious even at a cursory glance. Aristotle in his Rhetoric I, ix, 33 defines encomium as a praise of those who have character, who have excellence in birth and education. On encomium (ἐγκώμιον), panegyric (πανηγυρικός) and epideictic genre as a whole see Cairns, F. Generic Composition in Greek and Roman Poetry (Edinburgh: University Press, 1972) esp. chapter 3 'The categories of genre'.
3. Plato, Protagoras 326A; Dio Chrysostom, Discourse 55.4.5.
4. Epictetus, Dialogues I, ii, 22.
5. Seneca, Epistulae Morales ix, 9; Xenophon, Memorabilia 1.2.3.
6. Ibid.
7. Plutarch, Quomodo quis suos in virtute sentiat profectus, [Quo. virtute], 84C.; Moralia, 974A.
8. 4 Macc. 9:23.
9. Letter of Aristeas [Ep. Arist.], 322f.
10. See Jonge, M. de, The Testament of the Twelve Patriarchs: A Critical Edition of the Greek Text, (Leiden: E.J. Brill, 1978); also Hollander, H.W., and Jonge, M. de, The Testament of the Twelve Patriarchs: A Commentary, [Commentary], (Leiden: E.J. Brill, 1985); See also Sirach 44:1 Ἀνέσωμεν δὴ ἄνθρωπος ἐνδοξός, καὶ τοὺς πατέρας ἡμῶν τῇ γενέσει...
11. Test. Dan. 1.4.
12. Test. Sim. 4.4.
13. Ibid. 4.5.
14. Test. Ben. 3.1.
15. Ibid. 10.11.
16. Test. Zeb. 8.5.
17. Test. Rev. 4.8-10.
18. Test. Ash., passim.
19. See Hollander and Jonge, de, Commentary, pp.41-46 on the ethics of the Testaments.
20. Vid. Phil. 4:8; 2 Thess. 3:7-9; 1 Tim. 4:12; Heb. 13:7; 1 Clem. 17:1; Ignatius, Eph. 10:3; Boer, W.P. de, The Imitation of Paul: An Exegetical Study, (Kampen: J.H. Kok, 1962); Betz, H.D., Nachfolge Und Nachahmung Jesu Christi in Neuen Testament, (Tübingen: J.C.B. Mohr (P. Siebeck), 1967), pp.136ff. Both Boer and Betz offer a full discussion of

the development of the concept *μίμησις* from the mystery religions and from philosophical discussion. Betz' main concern is to show that when Paul exhorted his readers to imitate (*μιμνεσθαι*) his example and therefore, to imitate Christ, he did not mean the same thing as the Gospels' admonition to follow (*ἀκολουθεῖν*) Jesus. Betz offers little in the way of a discussion of the rhetorical and literary understanding of imitation. Michaelis, W., 'Μίμησις, μιμητής, συμμιμητής' *IDNT* iv, pp.659-674; O'Toole, R.F., 'Luke's Notion of "Be Imitators of Me as I am of Christ" in Acts 25-6', *Biblical Theology Bulletin* 8, 1978, pp. 155-161.

21. Adkins, A., *Merit and Responsibility*, (Oxford: Clarendon Press, 1960) p.30.

22. *Ibid.* p.31; Fears, J.R., 'The Cult of Virtues and Roman Imperial Ideology' *ANRW*, II, 17.2, pp.827-948.

23. Jaeger, W., *Paideia: The Ideals of Greek Culture* (Oxford: Basil Blackwell, 1939), p.1.

24. Leeman, A., 'De ideale burger in der Romeinse republiek', *Lampas*, xviii, 1985, pp.43-65, who shows that the Roman were also concerned to imitate those who they considered to have the highest social virtues.

25. Jaeger, *Paideia*; Ferguson, J., *Moral Value in the Ancient World* (London: Methuen & Co., 1958); Adkins, *ibid.*; Bauernfeind, O., "APETH", *IDNT*, Vol.1, pp.457-461; Spicq, C., 'Note De Lexicographie: ARETH' *Revue Biblique* 89, 1982, pp.161-176.

26. Josephus, *B.J.* iii, 50; *Ant.* iii, 302; xvii, 171.

27. *Vid.*, *SIG* 1172; *IG* 14, 966; Strabo xvii, 1, 17; cf. I Peter 2, 9.

28. Homer, *Ilias* 20, 411; *B.J.* i, 193.

29. *B.J.* i, 193. Josephus describes Antipater as a daring fighter who had "τὰ σημεῖα τῆς ἀρετῆς"

30. *Septem contra Thebas* 610.

31. iii, 9, 1-5; iv 6, 1-12.

32. iii, 9, 4.

33. iii, 9, 5.

34. Aristotle, *Nicomachean Ethics* [NE], IV, iii, 15.

35. *Leges* i 631c.

36. For the classic compiling of the work of the Stoics, consult Arnim, J. von, *Stoicorum Veterum Fragmenta* (Lipsiae: Aedibus B.G. Teubneri, 1921).

37. *Memorabilia* [Mem.] i, 5, 4.; i, 5, 5.

38. *Mem.* iii., 1, 16.

39. Diels, H., *Die Fragmente der Vorsokratiker*¹⁰, frag. 211.

40. Gorgias 507a-c.
41. Epistulae ad Familiares i,18,9.; cf. Philo, Quod Deus immutabilis sit [Quod Deus] 164 "τὴν μὴ ὁδόν"; Plutarch, De virtute morali 444c "τὰς ἡθικὰς ἀρετὰς...μεσότηας".
42. Philo, Quod Deus. 164 (ii, 90,22)
43. Ep. Arist., 223.
44. Mem. iv 6,11.
45. N.E. iii 6,1.
46. Rhetoric, i,9,8.
47. Op.cit. iii 6,3.
48. Ferguson, J., Moral Value, p.18.
49. Ibid. p.42. This more full definition should not be forgotten in Luke 23:47. We shall return later.
50. Theognis, 147.
51. Ferguson, Moral Value, p.44.
52. Diogenes Laertius vii,92.
53. Vid. Diog. Laertius, vii, 126.
54. Ibid. vii, 125; Cf. Plutarch, De Virtute Morali 441c; ibid. De Stoicorum repugnantiis, 1034c-d where Plutarch shows the inconsistency of the Stoic argument that the virtues are distinct yet also one.
55. Cicero, De Officiis [De off.]: φρόνησις = prudentia (prudence, practical wisdom); σωφροσύνη = temperantia (temperence, self-control); ἀνδρεία = fortitudo; δίκαιοσύνη = iusticia.
56. De finibus ii, 14,46-7, translated J.Ferguson, Moral Value. p.45.
57. Betz, H.D., Plutarch's Ethical Writings and Early Christian Literature, (Leiden: E.J. Brill, 1978); Jones, C.P., Plutarch and Rome, (Oxford: At the Clarendon Press, 1971).
58. Plutarch, De Virtute Morali, 440E, trans. W.C. Helmhold, Loeb Classical Library.
59. Plutarch, De Fortuna, 97E.
60. Clement of Alexandria's Paedagogus is a kind of Christian De Officiis.
61. C.f. I Clement i,3; iv 3.
62. Maddox, The Purpose of Luke-Acts, p.97; Haenchen, Acts, p.732.
63. Clement, Stromateis, iv,8,58,2-4.

64. Wolfson, H.A., Philo² 3 vols. (Cambridge: At the University Press, 1948) Vol.2, pp.200ff.

65. De specialibus legibus [spec. leg.] iv,25,134; 34,179.

66. Legum allegoriarum, i, 63ff.; cf. Quaestiones et Solutiones in Genesin i,12; vid. Philo, Quod omnis probus liber sit, [Quod omn. prob.] 67 where the cardinal virtues are again listed.

67. De sobrietate [De sobr.] 12,61; spec. leg. iv,27,147; 25,135; De Praemiis et poenis 9,53; Decal. 23,119.

68. De virtutibus, [De virt.] 13; Quod omn. prob., 63.

69. Ep. Arist., 189.

70. Contra apionem 2,168-170.

71. B.J. ii,208; iv,596

72. I.e. chaste, sober; Ant. ii, 58-9.

73. Ant. xi,217.

74. Ant. xvii,247.

75. B.J. ii,120.

76. Spicq, 'ARETH' p.174 and ibid. at note 76.

77. Bauernfeind, O., 'ARETH', p.460.

78. Note Luke 24:25 and I Cor. 1,30. Paul writes that Jesus Christ was made our wisdom (σοφία), righteousness (δικαιοσύνη), sanctification (ἁγιασμός) and redemption (ἀπολύτρωσις)

79. A colleague, The Revd. James Miller, who is currently investigating the language of the Pastoral Epistles, expressed to me his belief that although the Pastorals exhibit many "Grecisms", they are the expressions of Jewish Hellenism. The evidence of 4 Maccabees, Wisdom and Philo would support that many "Jewish" writings displayed a fluency in Greek philosophical terminology. Vid. Kümmel, W.G. Introduction to the New Testament⁷, trans. H.C. Kee, (London: SCM Press, 1975) pp.370-74, who presents the historical discussion.

80. 31 times. See Romans 15:5 where ὁπομονή is in the same sentence with ὁπορεύειν.

81. Although there is no instance other than II Peter 1:5-7 where the cardinal virtues are as explicitly repeated, it is interesting to note that there seemed to be a well known triad of faith (πίστις), hope (ἐλπίς), and love (ἀγάπη); I Cor. 13:13 vid. Rom. 5:1-5; Gal 5:5f.; Eph. 4:2-5; I Th. 1:3;5:8; cf. Hebrews 6:10-12; 10:23-24; I Peter 1:3-8. Of course these three virtues were added to the Greek cardinal virtues to make the 7 cardinal Christian virtues. Gal. 5:22-3 adds "patience" (μακροθυμία); Col. 3:12 also has μακροθυμία and adds "humility" (ταπεινοφροσύνη); II Tim. 3:10 has πίστις, μακροθυμία, ἀγάπη and ὁπομονή. 4 Macc. 17:2,4 has the triad but replaces "love" with endurance (ὁπομονή). It is difficult to decide where the triad originated. It seems to have been taken for granted.

One can see, however, how this triad of virtues and the other "fruits of the spirit" fits in well with the cardinal virtues necessary for community rather than heroic warrior-like deeds.

82. Homer, Odyssea viii, 236ff.

83. Ferguson, Moral Value, p.20, makes this claim but from our reading of Hesiod it seems as if he is extolling the natural virtues of the rural farmer. It is an idealized naturalism rather than a praise of wealth.

84. Theognis, 315; vid. Adkins, Merit and Responsibility, p.72.

85. Pindar, Pythian Odes II, 55 "τὸ πλουτεῖν δὲ σὸν τόχα πότμος σοφίας ἀριστον"; vid. Jaeger, Paideia, p.19,142; Adkins, Merit and Responsibility, p.160.

86. Aristotle, NE IV, iii,14.

87. De virt., 85.

88. Ibid., 226-7.

89. Seneca, Epistulae Morales, xvii 'On Philosophy and Riches', 3; 12 "Non est in rebus vitium, sed in ipso animo". In xlv "On Philosophy and Pedigree" he writes that Socrates was of no great pedigree - "Patricius Socrates non fuit" - and about Plato "Platonem non accepit nobilem philosophia sed fecit". Of course in Seneca's criticism he is expressing the normal non-philosophical acceptance of wealth, status and virtue. Seneca was born into a wealthy equestrian family of Italian stock.

90. De off. 93-95.

91. Philo, De sob. 12,61.

92. N.E. I, viii,15.

93. De off. 150,88.

94. Plutarch, De Virtute et Vitio, 100C.

95. Agricola, 4.

96. MacMullen, R., Enemies of the Roman Order, (London: Oxford University Press, 1967), p.47.

97. Walaskay, P.W., And So We Came to Rome: The Political Perspective of St. Luke, (Cambridge: At the University Press, 1983), p.57.

98. For example there is no mention of Ananias, who is an important figure in chapters 9 and 22. There is no explicit mention of Paul's blindness although the voice of Jesus commissions Paul to open the eyes of both Jew and Gentile from darkness (οὐρότος) to light (φῶς) and this certainly recalls Paul's own blindness reported in both of the earlier conversion stories. Vid. Lohfink, G. Paulus vor Damaskus, (Stuttgart: Verlag Katholisches Bibelwerk, 1966), pp.12-18.

99. Reg. iv, p.315; Rackham, Acts, p.462; "one of the most finished passages of Acts"; Bruce, Acts, p.408; ; "The style and language of this speech are mostly of high literary character." Cf. Haenchen, Acts, p.680.

100. Rackham Acts p.462, recognizes the oratorical embellishments but believes that these come from Paul; Bruce Acts p.440, concurs and argues that this is a real speech of Paul for, after his introduction which is spoken in Attic diction, Paul returns to the more popular style when he gets "into his stride". Bruce, and others, have been influenced by the comments of Blass, F., Philology of the Gospels (London: Macmillan), 1898, p.9 who believes that the presence of ῥῥῳσιν instead of the more colloquial ὁῥῥῳσιν reflects the early training of Paul while still in Tarsus. Lohfink, Paulus, p.69 believes that the details change because Paul is now "vor einem königlichen Auditorium." Donalson, L., 'Cult Histories and the Sources of Acts', Biblica 68, 1987, pp.1-21 presents a compelling recent study that suggests that Acts 26 more closely corresponds to the conversion story found in Gal.1 and hence might be a report of Paul's conversion from the Galatian church. Cadbury, Haenchen and the more sensitive literary and form critical scholars would emphasize the oratorical and literary embellishments at the expense of the historicity.

101. V. 16 is difficult to render "ὅν τε εἰδὲς [με] ὅν τε ὁμῶς σοι"; The editors of Beginnings, also expressed difficulty with v.20, Reg. iv, p.320; vid. Conzelmann, App., p.137 who writes that the style of verses 4 and 6ff "ist nicht gut".

102. Aeschylus, Agamemnon [Agam.] 1624; Pindar, Pythian Odes ii, 94f.; Euripides, Bacc. 795; Iphigenia in Tauris, 1396; frag.(Nauck) 604; Terence, Phormio 79; Smith, A.H. & Ramsay, W.M. 'Notes on a Tour in Asia Minor', Journal of Hellenic Studies 8, 1887 pp.216-267. Smith and Ramsay have published a pillar inscription praising the gods on one side and warning those who would underestimate the gods (p.261). The inscription is undated. Julian, Or. 8, 2466.

103. Bauernfeind, App., p.267 "Widerstand gegen mich ist für dich Sinnlos und unmöglich"; Haenchen, Acts, p.685.; Lohfink, Paulus, p.68.

104. Vid. Dibelius, 'Literary Allusions in the Speeches in the Acts', Studies, pp.186-191, especially pp. 189-190 where he offers the evidence for the influence of Euripides and concludes, in our mind correctly, that although the parallels are interesting they are hardly conclusive. Marshall, H., Acts, p.395 argues that the proverb is known in Judaism (Ps.Sol. 16:4) and Philo spoke of how the conscience stabs at a man (Dec. 87). Although ὁ κέρσις ἔκτανον is present in P.Sol, the verse is not in its proverbial form. Likewise, the very notion of kicking against fate is hardly found in the O.T. That Hellenistic Jews knew of the import of this saying is highly probable, that the appearance of this proverb in Acts is derived from a Hebrew original is as yet still unproven. Vid., Cadbury, BAH, p.39; Vogeli, 'Lukas and Euripides' IhZ 9, 1953, p.415ff.

105. Dibelius, Studies, p.190n.92, 93.

106. Dibelius, Studies, p.188; Vid. Cadbury, Makings, p.226.

107. Aeschylus, Agam. 1620.

108. Ibid. 1624.

109. Ibid. 1671.

110. Pindar, Pythian Odes, 2.64.

111. North, H., 'Imagery Related to Sophrosyne', Sophrosyne: Self-Knowledge and Self-Restraint (Ithaca: Cornell University Press, 1966), pp.380-386.

112. Ibid., p.380. Her references include Homer, Od. ix.302; xx.18-24; Aeschylus, Prometheus vinctus 1009-1010; Plato, Phaedrus 246Aff.; Respublica 588B and Philo, Leg.All. 2.24-5 on Gen. 49:16-18 where the serpent biting the horses heel as σάπρον wounding the passions and thereby saving the rider (νοός) from destruction.

113. Bruce, Acts, p.443 notes that this verb has been found only in Josephus, Ant. xvii, 6.5; and Epiphanius, Pan. xxvi. 10. The rarity of the word only presses the full measure of its intent in v.11.

114. This struggling against God recalls Gamaliel's speech in 5:39 where the word ἑσπράχον appears. Many have noticed that the word ἑσπράχον is used in Bacchae 45, 325, 1255f and this has added to the speculations that Luke was directly influenced by Euripides. We would argue that the appearance of this word in the same context only proves that the underlying meaning was well fixed and understood by both author and readers. As we have contended at the outset, works concerned with the classical cardinal virtues were hardly few in number. Vid. Dibelius, Studies, p.190.

115. Mem. i,i,16; Plato, Timaeus 71; Phaedrus 245A; Protagoras 323B; Lucian, The Disowned 30; vid. Plümacher, Lukas, p.21; Ramsay, St. Paul the Traveller, p.313.

116. Haenchen, Acts p.688.

117. Plümacher, Lukas, p.22. Plümacher refers to Philo's De vita Mosis i, 5,11,21-3,25 where Moses is described as a man of σάπρον.

118. Bruce, Acts, p.448 notes that Plato Phaedrus 245A argues that without μανία one cannot be a true poet; Cf. Aristotle, Poetics 1455A33, Plutarch Quaestiones convivales 622D; North, H., 'The Concept of Sophrosyne in Greek Literary Criticism' Classical Philology, 43, 1948, pp.1-17 has presented a thorough investigation of the oxymoron μανία σάπρον. She argues that in Plato poetic madness (ἑστία μανία) is contrasted to a controlled madness (μανία σάπρον). Yet, "μανία σάπρον" becomes endowed with a more profound meaning and indicates poetic enthusiasm controlled by reason.", p.14; Philo, Quis Rerum Divinarum Heres 249-253; Vid. Lewy, H., Sobria Ebrietas (Giessen: Verlag von A. Töpelmann, 1929). Reprinted in, ed. Tarán, L., Philo of Alexandria: Four Studies, vol.28 of Greek and Roman Philosophy, (New York: Garland Publishing, Inc., 1987).

119. Xenophon, Mem. iii,9.6 "μανίαν γὰρ μὴν ἑναντίον μὲν ἔχει τίνας σοφία".

120. Grenfell, B.P. and Hunt, A.S., eds, The Oxyrhynchus Papyri (London: Egyptian Exploration Fund, 1898) vol. 1, pp.62-66, Col.4 line 9 to the end.

121. Grenfell and Hunt, ibid. suggest Marcus Aurelius or Verus who was given tribunician powers by Marcus Aurelius. Reg. iv p.322 believes it was Commodus (Emperor 180-192).

122. Haenchen, Acts, p.690-691 believed that Acts 26 was originally a trial setting. Now it stands as a trial without prosecutor or witnesses.

123. Plutarch, Quo. virtute, 84E.

124. Vid. Diogenes Laertius, vii, 125 on Chrysippus in von Arnim, III, 73,3; Chrysippus shows τὴν ἀνθρώπου κατὰ τὰ ὁνομαζόμενα.

125. Philo, De virt. 181-2.

126. Ibid. 183.

127. Mackenzie, R.K., 'Character Description and Socio-Political Apologetic in the Acts of the Apostles' Unpublished dissertation, University of Edinburgh, 1984; Kurz, W.S., 'Hellenistic Rhetoric in the Christological Proof of Luke-Acts' CBQ 42, 1980, pp.171-195. Kurz, like Mackenzie, believes that Luke was exposed in his education to the Hellenistic forms of rhetoric, p.184ff; Malherbe, A.J., Social Aspects of Early Christianity (Baton Rouge: LSU Press, 1977) p.45, gives note to the importance of understanding classical rhetorical theory for understanding the texts of the New Testament. For general reference works on classical rhetoric and education see Marrou, I.H., A History of Education in Antiquity (New York: Sheeds and Ward, reprinted 1964), pp.233-242; Clarke, M.L., Higher Education in the Ancient World, (London: Routledge & Kegan Paul, 1971) chapters 5 and 7.

128. Ibid. p.11-17.

129. Ibid. chapter 5, pp. 93-127.

130. Theon, 9,231/II 112, 20-26, noted by Mackenzie, p. 95.

131. Aristotle, Rhetoric I, ix, 32.

132. Ibid. I, ix, 32.

133. Ibid. I, ix, 35.

134. Ibid. I, ix, 39.

135. De Or. I, 141

136. Ibid. II,346.

137. Ibid. II, 348.

138. Quintilian, II,iv,21.

139. Focke, F., 'Synkrisis' Hermes 58, 1923 pp.327-368 notes that comparison was common in just about all literature (p.328). And, much more recently, in a response to my letter, Mr. Roy Pinkerton, Department of Humanities, Edinburgh University, wrote: "Yes, implicit comparison/association is a major ingredient of Classical literary theory. The difficulty is that it is so common and so obvious a practice that it is simply taken for granted..." (20/11/86); Forbes, C., 'Comparison, Self-Praise and Irony: Paul's boasting and the Conventions of Hellenistic Rhetoric' NIS 32, 1986, pp.1-30.

140. Every important commentary discusses the issues contained in the report of the shipwreck in chapter 27. See particularly Conzelmann, App. pp.141-146. The pressing concerns include the presence of a first person plural narrator, the historicity of the narrative, and the symbolic import of the story. The first person narrator has traditionally been used as evidence for an eyewitness report of Luke who travelled with Paul. The presence of nautical terms and the realistic yet secondary details of the story

add to its supposed historicity. James Smith, William Paley and William Ramsay have passed on this scholarly conservatism to F.F. Bruce and I.H. Marshall. For references to these authors and a more general exposition of the history of tradition see chapter 2. Most scholars would defend some sort of source theory. Vid. Dupont, J., The Sources of Acts (trans. Pond) (London: Darton, Longman and Todd, 1964) pp.122-132 who discusses the alternatives. It is still referred to in most of the more recent discussions and commentaries. Haenchen, App. p.7 believes that the first person narrative draws the audience into the action and makes the narrative more forceful. Yet he would not deny that Luke used an oral source (Acts p. 86,709). See also Haenchen's contribution to the Festschrift for R. Bultmann, 'Acta 27' in (ed.) Dinkler, E., Zeit und Geschichte, (Tübingen: J.C.B. Mohr (P. Siebeck), 1964) pp.235-254; E. Norden, Agnostos Theos: Untersuchungen Zur Formgeschichte Religiöser Rede (Leipzig: Verlag B.G., Teubner, 1913) pp.314-316, notes that the presence of the first person plural narrator seems to place chapter 27 within a sea-voyage genre where the first person was often used. Norden's suggestion was included, yet not developed, by Cadbury, Makings, pp.144, 358. It is interesting to note that Cadbury, in a much later article entitled '"We" and "I" Passages in Luke-Acts' NIS 3, 1956-7 pp.128-132, restated the more traditional argument that an eyewitness source was used and it was probably the writer of Luke-Acts! That Acts 27 is part of a sea-voyage genre has recently been re-argued by V. Robbins, 'By Land and By Sea: The "We"-Passages and Ancient Sea Voyages' in Talbert's Perspectives, pp. 215-242. The number of scholars, in the past few years, who have interpreted Acts 27 symbolically is steadily growing. Actually, Rackham's commentary, published in the first decade of the 20th century, is noteworthy for he suggests that Paul's experience on the ship is symbolic of death and resurrection. Rackham, however, wants to maintain historical accuracy of the report Acts, pp. xlvii, 401, 477-8. Less interested in the historical worth of the account, M. Goulder, Type and History in Acts has pushed for a symbolic or "typological" reading similar to that of Rackham. Miles, G.B. and Trompf, G. 'Luke and Antiphon: The Theology of Acts 27-8' art.cit. and Ladouceur, D. 'Hellenistic Preconceptions of Shipwreck and Pollution as a context for Acts 27-28' art.cit., have argued that the shipwreck account is concerned to show that Paul was found innocent by the forces of nature; Danker, F.W., 'Endangered Benefactor' SBL Sem. Pap., 1981, pp.39-48 believes that Paul exhibited the attributes of an idealized benefactor. We believe that Danker is correct as far as he goes but his comments concerning Paul are hardly sufficient. Plümacher, Lukas, p.14f.

141. Ramsay, St. Paul Traveller and Roman Citizen, p.339; cf. Haenchen, Acts, p.711.

142. Rackham, Acts, p.449 notices the contrast between Felix and Festus but does not comment upon the literary juxtaposition of Felix and Paul. Neither does Haenchen nor Plümacher. Yet, we are not as sure as Rackham that, as he writes, "Felix however was a man of a different moral fibre to Festus," Festus, when first introduced, does seem to be an honest and energetic man who desires to discover the truth of the case. Yet, he too fails to release the innocent Paul and, like Felix, is more concerned to do a favour to the Jews(25,9) Festus is motivated by appeasement, not justice. His lack of understanding is made plain in his dialogue with Paul (26;24-5).

143. On Felix see Josephus, Ant. xx, 137-140; Schürer^{rev}, vol. 1, pp.460-466.

144. Suetonius, Claudius 28, trans. R. Graves, Penguin classics. Suetonius reports that Claudius let his freedmen give public entertainments which were the prerogatives of the equestrians and allowed them to amass great wealth.

145. Josephus, B.J. ii, 253,270; Schürer^{rev}, vol. 1, p.462-3.

146. Tacitus, Historiae v,9; cf. Annales xii,54.

147. Ep. Arist. 278; Bruce, Acts, p.416; Haenchen notes that Paul's words exhibit the central themes of post-apostolic preaching, Acta John, 84; Acta Pauli et Theclae, 5; Vid. Conzelmann, H.L., Apostelgeschichte (HZNT), (Tübingen: JCB Mohr [P. Siebeck], 1963), p.135; Beq. iv, p.305.

148. It is difficult to know the exact connotation of ἐγκρατεία used here. The word is found in the "Tugenkatalog" of I Cor. 7:9; Gal. 5:23; Titus 1:8; 2Pet. 1:6. Xen. Mem. ii,1,1 uses the word for self-control in matters of eating, drinking and sexual indulgence. A similar connotation is found in Aristotles, NE vii,5,4. I Cor. 7:9 suggests control of sexual desires. The word is found in Tob. 6:3; Wisdom 8:21; Sir. 6:27, 15:1; 27:30; 4Macc. 5:34. The word is closely related to σωφροσύνη. Burton, E. Galatians (ICC)(New York: Scribners, 1920) pp.317-8.

149. Seneca, Epistulae, cxx, 20.

150. lex Julia de repetundis vid. The Digest xlviii,11; Josephus, B.J. ii, 271-3. This law was often violated by both procurator and governor. Josephus reports that Albinus (C.E. 62-4) released prisoners upon receipt of a ransom from prisoner's kinfolk. According to Josephus the only people left were those who could not afford the fee (B.J. ii 273); Conzelmann, App. p.133.

151. Josephus, Ant. xx, 139; 141-3; Schürer², vol. 1, p.462; Haenchen, Acts adds that Drusilla was probably quite aware of Felix's potential career and hardly needed to be conjured, p. 659. For an old but still full description see Wendt, H. Handbuch über die Apostelgeschichte (Göttingen: Vandenhoeck und Ruprecht, 1880) p.487.

152. Haenchen, Acts, p.660; Bruce, Acts, p.427; Pesch, App. p.261.

153. P⁷⁴, X², E, ψ, 945, 1739, 1891, 2464 al- drops ἰδοὺ and adds αὐτοῦ. X¹, A, al adds both ἰδοὺ and αὐτοῦ.

154. Beq. iv, p.365.

155. Haenchen, Acts, p.661; Plümacher, Lukas pp.80-1; Lüdemann, App. p.258.

156. Ibid. pp.499-504. Haenchen concedes that this scene might be directly, or indirectly based upon an eyewitness report of the Pauline mission. Bruce, Acts, p.317 notices the juxtaposition here and writes, "The coloni were very conscious of the superiority of their Roman citizenship in contrast even with the status of the surrounding Greeks, not to speak of wandering Jews."

157. Haenchen, Acts, p.504, believes that Paul did not want a protracted trial nor did he want to lose the momentum of his mission. Bruce, Acts, p.322 conjectures that Paul's perhaps did protest and cry out "civis Romanus sum" but his cries were not heard over the crowd noise.

158. Polybius, Historiae 6.4.6; 6.57.9.

159. Plato, Leges II 670B the crowd is a leaderless and rudderless mob; Philo, De vita Mosis I,197 the crowd is fickle. Vid. Katz, P. and Meyer, R., 'ὄχλος' IDNI 5, pp.582-590.

160. Tyson, J.B., 'The Jewish Public in Luke-Acts' NIS 30, 1984, pp.574-583. The crowds in Luke-Acts are, with numerous exceptions, Jewish. Regardless of the ethnic makeup of the crowd it serves similar functions.

161. Codex D reads: "καὶ γυναῖκες τῶν πρώτων οὐκ ὀλίγαι". This alteration seems an obvious "correction" in which the women are placed before their husbands.

162. Pindar, Pythian Odes ii, 90ff. Jealousy in this passage, as noted above, is also concerned with the futility of "kicking against the goads"!

163. Plato, Protagoras 347C compares the "common market-folk" (ἀγοραίων ἀνθρώπων) who have no education (ἀπαιδευσίας) with gentlemen (καλοὶ καγαθοὶ); Xenophon, Hellenica vi,2,23 calls those who are part of the crowd of camp followers τοὺς ἀγοραῖους. Cf. Plutarch, Aemilius Paullus 38.

164. Reg. iv. p.204; Bruce, Acts, p.326.

165. The Asiarchs were of the noblest and richest families who promoted the cult of the ruling Caesar and the goddess Roma. L.R. Taylor's 'The Asiarchs' Reg. v, pp.256-262 is still a fine overall discussion. More recently, Magie, D. Roman Rule in Asia Minor 2 vols. (Princeton: The University Press, 1950) I, pp.449-50 and II, pp.1298-1301 and Rossner, M., 'Asiarchen und Archiereis Asias', Studii Clasice 16, 1974, pp.101-142.

166. Overbeck, F., App. p.174; Haenchen, Acts p.367.

167. Danker, F.W., Benefactor, p.318.

168. NE I, xiii, 20.

169. Ibid. vi, x, 1-4.

170. Diogenes Laertius, vii, 126 cited in von Arnim, III, 73, 5-7.

171. Philo, De vita Mosis i, 154.

172. The identification of Bar-Jesus with Elymas which means, at least to Luke, magician has continued to confound the commentators. What is clear is that because Bar-Jesus/Elymas is a false prophet and magician he is hardly a favourite of Luke. In 8:9,11; 19:18,19 magicians recognize the greater power that comes from God. Although we would assume that Luke did not know of, and so did not use, Matthew's recording of the birth and infancy of Jesus, it is interesting to recall that Luke does not record the coming of the Magi to the baby Jesus (Matthew 2). We doubt that had it been known it would have been used. Bauernfeind, App p.171 makes an interesting comment that Elymas is related to the Arabic word meaning σοφός. If this is true than an interesting comparison of the σοφία of Elymas and the σύνεσις of the Sergius Paulus arises.

173. Haenchen, Acts p.507; Cadbury, BAH. p.42; Plümacher, Lukas, pp.16,23.

174. Strack-Bill, vol.II, p.746; Jeremias, Jerusalem, p.234.

175. See note 31 above. We have noticed in several places in Acts that codex D seems sensitive to issues of status. For example, placing the women in subordination to their husbands and here dropping the reference to Paul's tent making profession.

176. Deissmann, A. Paul. p.48.

177. Hock, R.F., 'Paul's Tentmaking and The Problem of His Social Class' JBL 97, 1978, pp. 555-564; 'The Workshop as a Social Setting for Paul's Missionary Preaching' CBQ 41, 1979, pp. 438-450; The Social Context of Paul's Ministry (Philadelphia: Fortress Press, 1980).
178. Lampe, P., 'Paulus- Zeltmacher' Biblische Zeitschrift 31, 1987, pp.256-260.
179. Dio Chrysostom, xxxiv,23. See chapter 3 note 37.
180. Applebaum, S., 'The Social and Economic Status of Jews in the Diaspora' in Safri, M., Stern, M., The Jewish People in the First Century, pp.701-727, believes that Aquila and Priscilla travelled with the Roman army making tents; Livy, v,2,7; xxxvii,39,2; Schüssler-Fiorenza, E., In Memory of Her: Feminist Reconstruction of Christian Origins, (London: SCM, 1983) p.178f.
181. Reg. iv p.233; Haenchen, Acts, p.550.
182. Plümacher, Lukas, p.19; Bruce, Acts, p.351. Bruce argues that Apollos was uninformed concerning Christian baptism and the Pentecostal coming of the Holy Spirit. Furthermore, Apollos' knowledge was not derived from a recognized authority. Bruce refers to 19;2 where mention is made of believers who know only of John's baptism and have not received the Holy Spirit. Our concern, however, is not with what Apollo was taught but who taught it.

Chapter 5:

Roman Law and Acts, Part 1

We have already admitted to some skepticism concerning the historical plausibility that Luke's Paul could have actually combined Roman and Tarsian citizenship with a strict Pharisaic background and upbringing. Furthermore, we have asserted that Luke, using common rhetorical narrative devices, has stressed Paul's moral virtue in order to complete his overall portrait of Paul as the fulfilment of the Graeco-Roman ideal man. In the light of these earlier conclusions, in this chapter we will investigate the legal issues involved in Luke's report of Paul's confrontation with Roman authorities. We will include in our study the accounts of Paul's punishments, trials, and incarcerations, as described in Acts, and examine them in light of what is known about the legal procedure of the Romans in the first century. Furthermore, we will seek to understand these reports in terms of how the legal scenes work in the context of the larger narrative. Our contention is that Luke recast his sources and shaped his narrative in order to amplify Paul's social standing and magnify Paul's authority.

Paul on Trial

The last eight chapters of Acts are made up of a number of scenes in which Paul has to defend himself and his ministry before the leaders of the Christian community in Jerusalem (21:17ff), before the Jewish people (22:1ff.), before the council of the Jews (23:1ff), before Felix in Caesarea (24:1ff), before Festus and his tribunal (25:1ff), before Festus, Agrippa and Bernice (25:33ff), and before the Jews of Rome (28:17). Some have argued that Paul's trials on the sea are a symbolic

hearing before the court of Nature (27:1-28:6)¹. Assuming that a final court appearance would occur before Nero, it is undeniable that Paul is on trial for almost the entirety of the last eight chapters of Acts. Considering the legal context of the concluding chapters it is not suprising that forensic terms appear and proper courtroom speeches are delivered. That the entire narrative of the last eight chapters is intent upon portraying Paul in a certain way in order to amplify his social status and upright character is entirely appropriate since highlighting the persona of the defendant is one of the techniques used in legal defence.

These forensic aspects of Acts have not gone unnoticed, and the ever increasing number of studies concerned with the legal issues of the last eight chapters of Luke's second volume have led to a number of impressive and helpful conclusions. In the last twenty years, or so, there has been renewed interest in Luke's knowledge and use of classical legal rhetoric, and in the study of the "Gattung" of defence speeches as a literary sub-unit of courtroom scenes². In a recent article, J. Neyrey has shown convincingly that the defence speeches in Acts follow the profile of defence oratory in the forensic handbooks as described by Quintilian³. Of significant value to our study is that according to the forensic handbooks it was of the utmost importance to portray the defendant as a person of moral integrity and high social standing. For example, Cicero instructed orators to develop the "ethos" of the defendant and "to paint their character in words as being upright, stainless, conscientious, modest, etc.,"⁴. Likewise, Quintilian wrote that if the defendant "...is believed to be a good man, this consideration will exercise the strongest influence at every point in

the case."⁵ These studies of the forensic speeches in Acts generally conclude that Luke was defending Paul from those who accused him of less than strict adherence to Jewish law. While Luke does describe Paul as a law abiding Jew, we have found that Luke's portrayal of Paul communicates something more than just his religious innocence.

Although these studies of the rhetorical and literary form of the defence speeches in Acts provide evidence that coincides with our interest in the social status of Paul, it must be noted that there is much descriptive material concerning Paul which simply cannot be discussed in terms of formal defence speeches. In the last eight chapters, Paul not only delivers formal speeches; he also preaches, he is imprisoned, he is shipwrecked, and he performs miracles. In other words, the specific study of the form and function of legal speeches and language is too limiting for our overall concern. In addition, one must consider the way in which the various characters react to Paul.

Other scholars have noticed the numerous and obvious parallels between the ministry, witness and trials of Jesus and the ministry, witness and trials of Paul⁶. The conclusion reached is that Luke portrayed Paul as a witness in continuity with Jesus. For example, Jesus is accused of stirring up the people (Lk. 23:2,5) and one of the accusations against Paul is that he is a rabble rouser (Acts 24:5). Furthermore, just as the Jews of Jerusalem bring their charges against Jesus to the Roman in command (Pilate), who then consults the secular Jewish authority (Herod), so too do the Jerusalem Jews bring their case before Festus who in turns seeks the advice of Agrippa. Jesus is declared innocent by Pilate on three occasions (Lk. 23:14, 16,22) and likewise, Paul's innocence is thrice recognized by Festus (Acts 25:25;

26:31,32). Both Roman leaders are influenced by the Jews and, in effect, are thereby exonerated from the guilt of the death of Jesus and the continued imprisonment of Paul.

These parallels are impressive and it is not incorrect to say that the narrative describing the 'passion' of Paul has been shaped by Jesus' passion. However, because there is such a concern to show how Paul's trials are influenced by the story of Jesus' trial, the unique descriptive material concerned with the account of Paul's trial is often ignored. Furthermore, there is little thought given to how Luke's description of Paul and his trials might have shaped his audience's impression of Jesus.

As we have suggested in the opening chapter, one of the major issues facing the church in the first century was how to interpret a rural, charismatic teacher from Galilee to an urban, Hellenistic audience. That a man of Paul's alleged stature would call Jesus 'Lord' would only raise the status and authority of Jesus in the eyes of the readers. Considering that pedigree, upbringing, education and moral virtue were important characteristics for a man of ideal status, it is not surprising that Luke reports that Jesus' ancestry goes back not only to the greatest of the kings of the Jews, but also to God the creator of all (Lk. 3:23-38)⁷. Furthermore, Luke reports that as a child, Jesus astounded the teachers of the law with his learning (Lk. 2:46). At Jesus' crucifixion it is no accident that the Roman soldier declares: "ὅντως ὁ ἄνθρωπος οὗτος δίκαιος ἦν" (Lk. 23:47). The nuance of δίκαιος includes both innocence and righteousness, in the Jewish sense of piety⁸. However, it also includes the Hellenistic sense of possessing outstanding virtue⁹. The portrayal of Jesus in Luke's gospel is beyond

the scope of this dissertation, but, our remarks suggest the parallels of Jesus and Paul work both ways.

Still other scholars, as mentioned in the first chapter, have argued that since a significant portion of Acts is concerned with the trials of Paul, the author must have intended an apologetic purpose. Since we have dealt with these issues in an earlier section, a summary of the conclusions will suffice. They are: 1) that Luke presents Christianity as a *religio licita* is unacceptable; 2) that the main audience of Luke-Acts consisted of Roman officials is doubtful, and 3) although the Jews of Jerusalem and elements of the Jewish rabble are described by Luke as being the primary cause of the harassment of Paul that Luke consciously portrayed Roman authority as just and benign is dubious.

Considering that so much of the narrative of the last eight chapters is set in the courtroom, it seems logical to assume that Luke had some kind of apologetic or legitimating purpose. However, we would differ from the consensus, which assumes that Luke wrote chiefly or solely for his own Christian community, and assert that the forensic scenes in Acts are meant to do more than simply defend, protect, subordinate or reclaim Paul by describing him as a loyal Jew. On the contrary, we believe that Luke's purpose was to project an image of Paul that would have been attractive to his readership. Luke has crafted these forensic scenes for evangelistic ends.

A fourth approach to the forensic narrative in Acts is an historical one¹⁰. The historical investigation seeks to explain Paul's protest against punishment in 16:37 and 22:25, his trials, and particularly his 'appeal' in Acts 25:11 in the light of what is known about the actual historical legal process of the Roman empire in the provinces of

the first century. We would agree that a proper understanding of the historical "facts" is important. However, the elucidation of the historical background of specific legal issues does not necessarily commend the historicity of the narrative as a whole. Since we are hesitant to accept Luke's description of Paul as a Roman citizen in all its details, we are, consequently, skeptical of the account of Paul's confrontations with Roman authority in Acts. That Luke, or his sources, described Paul's trial in terms of Roman legal language and procedure is what one would expect of an educated writer from the first century. We believe that a proper understanding of the legal issues involved in the last eight chapters in Acts will help uncover the important dramatic intention of Luke's narrative.

In this final section of Acts, Paul escapes punishment (22:25), his "appeal" to Caesar is heeded (25:12), while under arrest Paul is allowed off the ship to visit friends (27:3), and he is placed under the lightest of house arrests in Rome (28:16,23). In fact, as soon as he begins his journey to Rome, the reader is led to forget that Paul is a prisoner at all as he takes control of the ship during the storm (27:21ff), is treated with great kindness by the first citizen of Malta (28:7), and is met by the Christians of Rome as if he were some kind of dignitary (28:15). Other than the reference to a debatable two-year Caesarean imprisonment (24:27)¹¹, Acts mentions only an overnight stay in the Philippi prison (16:35). The one occurrence of his being beaten (16:22) is portrayed as an abuse of power and a mistake. Paul, in Acts, is treated as a man of high status and prestige. This is hardly the picture one receives of the experiences of Paul in the epistles. It is true that the "imprisonment letters" do not suggest undue hardship in

that Paul has time to write letters, has people attending him, has access to money (Philemon 18) and looks forward to release¹². However, Paul, in 2 Cor. 11:23ff., lists his many imprisonments, lashings from the Jews and beating with rods from the Romans. While it might be argued here that Paul is guilty of overstating his case for effect, the picture of Paul in Acts does not simply coincide with Paul's own accounts. These issues will require further investigation below. Luke does not emphasize the imprisonments, the lashings, or the beatings - instead, he consistently shows Paul as a man of recognized *dignitas*, a man who assumes control of all situations. Therefore, in this and the following chapter, we must make a careful study of Luke's account of Paul's appeal against punishment as ordered by Roman authority and his "appeal" to Nero in terms of what is known about the actual rights of the Roman citizen. Moreover, we will look at Luke's description of the details of Paul's various incarcerations, the conditions of his transit to Rome, and his light imprisonment while in the capital, in the light of Roman practices of custody during the first century.

Roman Law and Social Status

Whoever attempts a thorough investigation of Roman legal history of the first century confronts a monumental task. The evidence required to make indisputable claims concerning almost all issues involved is, unfortunately, lacking. This fact comes as a sobering check to anyone who attempts to understand the legal issues behind the several reports in Acts where Paul depends upon Roman legal rights. Sure historical criteria are wanting which would help judge, for example, the accuracy of Luke's account of Paul's "appeal" in Acts 25:11¹³. It is the case

that Luke's description of Paul's calling on Caesar is the only example from the first century A.D. of such an appeal on a capital charge from the provinces that we possess. Therefore, both those who appeal to the historicity of the report and those who question the accuracy must acknowledge the absence of sufficient source material.

What is known is that Roman law was developing at a fast rate in the first century as the Roman Empire continued its transition from the Republican to the Imperial form of government. The sources that are extant either come from the age of the Republic or from the writing of the Digest - a compilation of laws and rescripts published in the 6th century, some of which, however, come from a much earlier period¹⁴.

With this cautionary note thus stated, we believe that it is still possible to evaluate the material presented in Acts and attempt to understand Luke's purpose in using it. However, before commencing on our study of the specific texts in Acts, a short discussion of the relationship between social status and legal privileges in the Roman Republic and Empire is necessary. In presenting this background material we hope to provide an important foundation for understanding the legal scenes in Acts which, to a great extent, were shaped with just such a relationship in mind.

The consensus of scholars agrees that, throughout the second century A.D., Roman citizenship was increasingly devalued as a mark of distinction due to the increase of free aliens who had assumed the title of *civis Romanus*¹⁵. The devaluation was complete with the decree of Caracalla of A.D. 212, which declared that all freeborn men within the boundaries of the Empire became Roman citizens¹⁶. What had once been a social and legal distinction between *peregrinus homo* and *civus Romanus*

was now all but gone. In its place, a legal system developed which enshrined legal privileges for those of high social status. "Citizen" and "Alien" were no longer terms as meaningful as they had once been. The old distinction of legal privileges based on citizenship was replaced by a legal system based on social status.

Although A.D. 212 is assumed to be the historical marker of the end of the citizen/alien distinction, since almost everyone then became a citizen, it is agreed that the legal distinction between *honestiores* and *humiliores* began during the reign of Emperor Hadrian. Such an assumption is credible since the earliest examples of a dual-penalty system based on social status found in the Digest comes from the time of Hadrian. Hence, from the time of Hadrian onward, those of higher status, be they citizens or wealthy provincial non-citizens (*honestiores*), could expect legal advantages over those of lower status (*humiliores*). This "dual-penalty" legal system is clearly reflected in the pages of the Digest. To give just one example of what is commonplace, the Digest reads:

Rei sepulchrorum uiolatorum, si corpora ipsa extraxerint uel ossa eruerint, humiliores quidem fortunae summo supplicio adficiuntur, honestiores in insulam deportantur.¹⁷

The one of low status was given the ultimate penalty, death (*summo supplicio*), while the one of high status was deported.

Callistratus, a jurist of the Severan age (A.D. 193-235), refers to the deified Hadrian's rescript on moving boundary stones. In the following rescript Hadrian differentiates punishment according to the social status of the person guilty of the crime:

The extent of penalty, however, should be determined in the light of the rank and intent of the offender. If those convicted be of

high rank, they have doubtless done it to encroach on someone else's land, and they may be relegated for a period according to their age; thus, if they be young, it will be for a longer period, if they be elderly, shorter. But, if the offenders be acting on behalf of another and performing some service, they are to be beaten and sent to the mines for two years. If they appropriate the stones through ignorance or casually, it is enough that they be thrashed.¹⁸

Here Hadrian states that exile (*relegatio*) was the proper penalty for *splendidiores personae* (*honestiores*), while a sentence of two years to a public work (*opus publicum*) and a beating was expected for *alii* (everyone else-equivalent to *humiliores*).

In another example, Ulpian refers to the rescripts of Emperor Antoninus (138-161) and Hadrian concerning penalties for those who are found guilty of starting fires in the city:

Those who deliberately start a fire in the city, if they be of lower rank, are usually thrown to the beasts; but if they be of some standing, they are subjected to capital punishment or certainly deported to an island.¹⁹

What the evidence shows is that from the first decades of the second century, a major factor in determining punishment was the perception of one's social status and not citizenship alone.

A.N. Sherwin-White, while acknowledging the evidence concerning the importance of status distinction of the first century, will go no further. In the context of discussing appeals against sentencing - an issue of great importance to our study - Sherwin-White reflects the consensus opinion:

As the Roman citizenship became ever more widely spread, the privileged class of the Empire ceased to be the Roman citizens, as such. Their place was taken by the *honestiores*; that is, the families of moderate substance from whom the municipal magistrates and the municipal councillors were chosen. In the final system the *honestiores* retained in a sharpened form the privileges that had once been the right of all Roman citizens - that only the Roman courts could sentence them on a capital charge. This right, which was at first limited to town councillors, and decurions, became in time the special privilege of the

whole class. This system, which first begins to emerge in the time of Hadrian, is unknown to the author of Acts.²⁰

While no one would disagree with Sherwin-White's remarks in general, we believe that he is incorrect in implying that a Roman of high social status, in the first century and before, did not have an advantage over a Roman citizen of low social status in appropriating the legal rights which were, in theory, granted to all citizens. Moreover, we disagree with Sherwin-White's conclusion that the system based on status privilege was unknown to Acts. On the contrary, the author of Acts was decidedly aware of status differentiation and purposely shaped his work in the light of such distinctions in order to attract his readers/hearers to his characterization of Paul. In addition, despite the expertise of Sherwin-White, we have come to the conclusion that his insistence that class privileges commenced only with Hadrian is ill-conceived and shows a lack of sensitivity to the importance of status distinction in all parts of Graeco-Roman life which was fundamental to that society long before Hadrian.

For our purposes, a much more helpful insight is offered by Peter Garnsey who has studied, in great detail, the legal privileges assumed by those of high social status and has come to the opposite conclusion:

Despite the far-reaching political changes which marked this period (mid-1st century to early 3rd century C.E.), the structure and ethos of Roman society remained basically unaltered.²¹

Garnsey argues that the Roman legal code had always reflected the foundation of Graeco-Roman society which was fundamentally shaped by awareness of inequality of individuals and distinctions of social status²². There is little question that he is correct on this point. One need go no farther than the comments of Cicero, who wrote:

...tamen ipsa aequabilitas est iniqua, cum habet nullos gradus dignitatis.²³

It is to be noted that Cicero does not articulate any argument to support this view. It is taken for granted that this is traditional practice.

J.M. Kelly, in an interesting little book entitled Roman Litigations, perceives what he calls the academic myopia of those who assume that Roman law operated equally and regularly for all persons²⁴. He raises the issue of how the practice of law, as distinct from theory, fared in a state whose social and political life was conditioned by enormous differences in power, wealth and prestige, and asks the question: "Can it be that in the sphere of law alone the great were really made equal with the humble, the powerful with the weak?"²⁵ Kelly's work is concerned with civil rather than criminal law but his question is no doubt germane for both as he concludes:

The picture...of the personal element in Roman litigation may be briefly summarized as follows: the administration of justice, civil as well as criminal, tended both in the pre-classical, classical, and post-classical periods of jurisprudence to be subject to the influence of powerful men:...the theory of an equal and objective justice was perfectly familiar, but no one reckoned on finding it applied in practice.²⁶

We will find these comments of great importance when we return to the text of Acts and study Paul's "appeal" to Caesar and the reports of his subsequent journey to Rome. We will argue that whatever the actual legal basis of these events was, Luke's portrayal of Paul reflects a sensitivity to the relationship between legal privileges and social status.

What was fundamental to Roman society, namely recognition of status distinction, was likewise fundamental to Roman law, and the words of

Ulpian, although written as late as the sixth century C.E., reflect the accepted usage.

our ancestors, whatever the punishment, penalized slaves more severely than freemen, and notorious persons more than those of unblemished reputation.²⁷

It is assumed here that there had always been a connection between social position, good reputation, and legal privileges. Furthermore, even though citizenship of Rome was a mark of social distinction, there was also an awareness among Roman citizens that there were different status levels of Roman citizenship. For example, a slave manumitted from a Roman citizen usually became a Roman citizen. However, his slave pedigree was a status indicator that could be, at times, a disadvantage to him. This distinction between citizenships was understood, if unstated, in the first century as well as the sixth, as the conversation between Paul and the Tribune in Acts 22:28 suggests.

At this point it is important to comment on the use of the Digest for our study. The Digest was published in the 6th century and hence, one must be careful in using the Digest to prop up an argument concerned with 1st and 2nd century legal procedure. In this respect, the problems are similar to those concerning the use of the Talmud and Mishnah as evidence for Rabbinic Judaism in the first century. Nevertheless, having said this, there is much in the Digest that specifically names 2nd century Emperors and jurists, and this brings one back to within 50 years of the writing of Acts. If one were to agree with the dating of Acts proposed by J.C. O'Neill, then some of the laws mentioned in the Digest would even pre-date Acts!²⁸ However, regardless of the date of Luke-Acts, the codification of the legal distinction beginning in the 2nd century reflects earlier usages. Used with caution, the Digest can

be a rich source of material.

So far we have begun to construct a tentative position which advances the contention that in the first century, as well as in the sixth century, the issue of social status and its corresponding attributes (wealth, prestige, power, and authority) were important factors in the legal system and one of high status could always expect privileges over those of low status²⁹.

Sherwin-White, as noted above, has argued that Luke-Acts reflects a historical period when one's social status was not as important a factor as the legal distinction of citizenship. He assumes that there would be little difference in the legal privileges of a low status and high status Roman citizen. He believes that Luke has little concern for status distinction. One must consider this statement in more detail.

In one regard Sherwin-White is correct. The distinction between low and high status Roman citizens becomes less meaningful as one travels farther east from Rome. For example, in Judaea in the middle of the first century, it would be safe to assume that the number of individuals with the Roman citizenship would be infinitesimally small. The few who had citizenship would include rich Romans travelling abroad on business, the various Roman officials associated with the governing of the province, the legionary soldiers, presumably the highest officers of the auxiliary troops and a few of the provincial social elites who had been granted citizenship as a reward for acts of service to the Emperor. Hence, the Roman citizens found in Judaea in the first century would be, *ipso facto*, almost invariably of high social status compared to native inhabitants and would, most likely, possess the influence to take advantage of their legal privileges. However, while this may be true it

does not, in our mind, solve the manifold dilemmas in Acts.

We have, in a number of places, expressed our doubt that Paul was, in actuality, one of the elite of the Eastern provinces as Luke would have us believe. The list of Paul's troubles, recounted in 2 Corinthians 11:24f., suggest that if Paul was, in reality, a Roman citizen he did not receive any beneficial treatment. This seems to suggest that all Roman citizens did not receive the benefits from their alleged legal rights. Hence, the first of Sherwin-White's assertions cannot be accepted without further investigation. We will return to the issue of the discrepancy between Paul's account of his tribulations and Luke's highlighting of the preferential treatment that Paul received at the hands of Roman soldiers, magistrates, and governors. The differences in the accounts of Acts and the epistles are usually explained in terms of Luke's overall positive portrayal of Roman authority. However, we believe, as we will attempt to show, that Luke's emphasis is less on the leniency of Roman authority and more on Paul's status.

Furthermore, as noted above, Luke does recognize differing ranks of citizenships. The first reader/hearer of Acts would no doubt have recognized the importance of the conversation between Paul and the Tribune, who was probably of equestrian status; citizenship alone did not make all citizens equal. Hence, Sherwin-White's second point is also brought into question. Likewise, we believe that Paul, as reported by Luke, is not only described as a rank-and-file Roman citizen. Rather, as was shown in chapters 2 and 3, Paul is a citizen of Tarsus as well with wealth, education, and a good ancestry. To recount what was argued in a previous chapter, Paul is implicitly contrasted with the Roman citizens of Philippi (16.21), who are no better than the rabble

despite their citizenship and he is explicitly associated with Asiarchs (19:31), and men and women of high social standing in the Greek cities who were not necessarily Roman citizens. As we will contend below, when we investigate the accounts of Paul's imprisonment, the way Paul is treated suggests that he was recognized not merely as a citizen but as a Roman of high status. Since we believe that Luke's description of Paul's social position is improbable, our conclusion must be that the accounts in Acts were shaped in order to emphasize Paul's social standing and authority.

Our tentative thesis, which proposes that Roman law and Roman legal procedure were fundamentally based on the significance of social stratification, is further supported by the evidence of the lawyers. J. Neyrey has written: "as long as there had been law courts (and rhetorical schools) attention had been drawn to the *persona* of a witness."³⁰ A person's birth (*genus*)³¹, character (*mores*)³², and his wealth and position in society (*facultas*)³³ were all important factors for establishing his innocence and trustworthiness. Cicero, in de Inventione, describes the expected content of a defence speech:

And frequently an argument can be made out of a person's fortune when account is taken of whether he is, or has been, or will be slave or free, wealthy or poor, famous or unknown, successful or a failure, a private citizen or a public official; or finally when inquiry is made about any of the conditions which are understood to be predicated of fortune.³⁴

To Cicero, and doubtless all other students of law, anything that detracted from the defendant's honour and repute lessened his chance for a complete defence.³⁵ The defendant must be shown to be an upright individual to the highest degree:

The counsel for the defence, on the other hand, will have to show first, if he can, that the life of the accused has been upright in the highest degree.³⁶

Paul, in the last eight chapters, is portrayed both as a defendant, claiming his innocence against specific charges, and as a witness, proclaiming the Gospel. In order to prove his innocence and indicate the trustworthiness of his preaching, Luke has followed the common legal rhetorical device of highlighting the *persona* of Paul. We have, in the two previous chapters, attempted to show that Paul, as described in Acts, is one of the *splendidiores personae*. Furthermore, we have tried to show that one's character was intimately intertwined with social status for, in the words of Garnsey, "...*boni mores*, good character, were nothing less than the virtues of the higher orders."³⁷ The words of Callistratus, written several centuries after the trials of Paul, still reflect the concern to scrutinize the social status and moral virtue of a witness. He writes:

It is especially important to examine the status of each man, to see whether he is a decurion or a commoner; to ask whether his life is virtuous or marred by vice, whether he is rich or poor (for poverty might imply that he is out for gain), and whether he is personally hostile to the man against whom he is witnessing or friendly to the man whose cause he is advocating...³⁸

It is interesting to note that Aulus Gellius (123?-169?) recommends to the judge that he should follow the custom that had been handed down and observed by their forefathers:

...ut si quod inter duos actum est neque tabulis neque testibus planum fieri possit, tum apud indicem qui de ea re cognosceret, uter ex his vir melior esset quaereretur et, si pares essent seu boni pariter seu mali, tum illi unde petitur crederetur ac secundum eum iudicaretur.³⁹

One's character and social status were always determining factors in the courts. Likewise, it was important to discern the character of the accuser as this example from the Digest shows:

the judge must choose the accuser, having taken account of the case and assessed the persons of the accusers, whether by

reference to their status, their interest in the matter, their age, their morals, or any other good reason.⁴⁰

Paul's accusers, according to Luke, were jealous Jews and the rabble who had no social standing. This would, no doubt, suggest to the readers of Acts that Paul's person and message were trustworthy in contrast to those who accuse him.

The *auctoritas* and *existimatio* (personal reputation) of a defendant were potentially influential to the judge and jury in discerning the innocence of the defendant, the reliability of the witness, and the acceptability of the accusers. They were also important factors for determining how the individual, if found guilty, was to be treated. We will investigate this claim in more detail below when we look carefully at Luke's account of Paul's imprisonments. For now, let it suffice to say that a man of low social status, regardless of his citizenship, would hardly have been allowed to leave the ship while under guard as Paul was reported to have done (27:3), or to have been placed under light house arrest as Paul's custody in Rome suggests (28:16,31). That Paul, as reported in Acts, was treated in such a respectful manner supports our thesis that Luke's concern was to advertise Paul's alleged high social position.

What Luke's reporting of Paul's trials and the connecting narrative between the trial scenes show is that the author was aware of the social norms and expectations upon which the Roman legal system was based. The description of Paul's *persona* must not be forgotten for it is the description of Paul that was foremost in Luke's mind in the last eight chapters⁴¹. Paul is a man of *dignitas* and the recognition of *dignitas* was important at least from the days of Cicero to the time of

the publication of the Digest when status distinctions were codified. To argue that legal privileges influenced by the recognition of social status did not begin until the second century is wholly incorrect.

Generally speaking, Roman citizens did have privileges over aliens. This point we do not contend. A freedman stood above a slave and a citizen was favoured over a freedman or an alien. Yet the words of E.A. Judge must also be kept in mind:

Roman citizenship may not have been so decisive a status factor in the Greek cities of the first century as has been supposed. It is now been argued that the social class ranking system that applied later was already beginning to cut across the distinction between citizen and alien⁴².

The words of the younger Pliny to Caecilius Tiro, who was about to assume the position of the governor of Baetica in Spain, echo the sentiments of Cicero quoted above and suggest that the status distinction could not simply be divided on the matter of citizenship. As governor, Tiro would be responsible for the administration of justice in his province and Pliny writes the following words:

You have done splendidly - and I hope you will not rest on your laurels - in commending your administration of justice to the provincials by your exercise of tact. This you have shown particularly in maintaining consideration for the best men (*honestissimum quemque*), but, in so doing, winning the respect of the lower classes while holding the affection of their superiors...but in praising you for the way you tread the middle course, I cannot help sounding as if I were offering you advice: that you maintain the distinctions between ranks and degrees of dignity. Nothing else could be more unequal than that equality which results when those distinctions are confused or broken down⁴³.

Social status, upright character, wealth, prestige, education and "connections" could be, at times, more important than citizenship alone, and the individual who combined all the above characteristics and

possessed citizenship would stand in a privileged position indeed. In the Roman provinces where legates, proconsuls, prefects and procurators wielded a great degree of authority and jurisdiction, recognition of these characteristics was of no small value⁴⁴. It has been our assertion all along that Luke purposefully portrayed Paul in such a manner.

As we study the issue of the legal rights of citizens in the provinces, and particularly the account of Paul's appeal, we will have to keep the conclusions of Sherwin-White and Garnsey, quoted above, in mind. These scholars assume opposite positions on almost all the issues and the investigation of the evidence, as it relates to the portrayal of Paul in Acts, will finally lean more towards one than the other.

Sherwin-White insists that:

This privilege was by no means limited to men of exalted status - the so-called *honestiores*, for whom many benefits in penal procedure were invented during the second century. Paul of Tarsus was not the only man of moderate station to take advantage of this privilege.⁴⁵

Peter Garnsey, on the other hand, concludes:

At no stage in the period under survey (1st-3rd centuries) was citizenship as such a source of privilege. Citizenship bestowed certain formal rights on its holders as full members of the Roman community, but provided no guarantee of their exercise. In any case, those rights were not commensurate with the benefits enjoyed by the *honestiores*... for in law, as in other aspects of Roman society, the principal benefits and rewards were available to those groups most advantageously placed in the stratification system by reason of their greater prosperity, power and prestige.⁴⁶

Obviously, with two such disparate conclusions, a further investigation of the Roman legal privileges in the provinces in the first century is needed.

Paul's "Appeals"

Next for consideration are those passages where the Paul described by the author of Acts claims legal privileges. In Philippi (16:37), where Paul shames the magistrates for beating and imprisoning him, in Jerusalem (22:25), where Paul halts an impending flogging by Roman soldiers, and in Caesarea (25:11), where Paul declares his right to be heard in a court in Rome, he assumes legal privileges that were allegedly due him as a Roman citizen. In all three cases, Paul, as described by Luke, appeals against the action of a Roman authority. However, while in the first two instances (16:37 and 22:25) Paul appeals to the laws which were intended to protect a citizen from summary beatings, tortures, and imprisonment without trial, in the third account (25:11) Paul rejects Festus' request to move the court to Jerusalem. There has been no little debate concerning the actual historical background of Paul's "appeal" to Caesar and for that reason we will hold our comments concerning that scene for the next chapter. Legal scholars have noted that these scenes provide evidence that Luke was familiar with the Roman laws protecting the ancient custom of *provocatio ad populum* which was, it is generally agreed, a call to the people for protection from the *coercitio* of a Roman magistrate⁴⁷.

On the one hand, it is true that these scenes in Acts demonstrate a knowledge of Roman law and the privileges that were, *de jure*, accorded to Roman citizens. However, on the other hand, this does not necessarily prove that the scenes in Acts are accurate historical reports of Paul's encounters with Roman authorities. Our intention is to show that because there were important exceptions to these laws it cannot simply be acknowledged that all Roman citizens everywhere were

equally protected. In addition, we intend to demonstrate that these laws favoured those of high social status and only those of standing and reputation could expect to assume the legal privileges provided. Moreover, considering the evidence presented in the previous three chapters, it is our concern to press our thesis that the events recorded in Acts testify to Luke's recognition of the reality of the social expectations upon which these laws were based. In other words, Luke shaped his sources in order to illuminate Paul's authority and control which had implications for his comprehensive portrayal as an individual of high social status.

Magisterial Coercitio

The laws designed to protect Roman citizens from the *coercitio* of a Roman official or magistrate are well known, and have been discussed in detail by many Roman legal scholars and some students of the New Testament⁴⁰. It is generally taken for granted, as noted above, that the laws of the Roman Empire were equally enforced for all. Therefore any exceptions to the enforcement of the *leges* must be explained in terms of aberrations from the norm. Our reading of the evidence, on the contrary, suggests that, in the provinces, deviation from these laws was the norm. Our immediate concern will be to investigate the laws which purported to protect the Roman citizen and to see how effective and extensive they were. It will be of great importance to our overall thesis to ascertain whether or not these laws favoured those of high social status.

The discussion of the legal issues in Acts should be grounded on an understanding of the legal jurisdiction and political authority of the

governor and local Roman magistrates in the provinces. Since so much has been written on this subject, a full discussion of the differences between those governors appointed by the Senate and those by the Emperor will not be necessary⁴⁹. Exact distinctions are not important to our interest. What is important is that Proconsuls (Senatorial status) and Procurators (Equestrian status) were administrative officials who held *imperium* (authority). The authority of the governor over ordinary provincials was limited only by certain statute laws pertaining to extortion and the law of treason or *maiestas minuta*⁵⁰. Few would argue that, in the Julio-Claudian period, those holding *imperium* had few bounds set on the free use of their authority⁵¹. During the imperial period the Princeps could, if he so desired, become involved in the administration of a province, as is suggested by the edicts to Cyrene issued by Augustus⁵². However, generally speaking, it was not until the reign of Domitian that Imperial control over the provinces was practised in earnest⁵³. Unless the governor offended the wealthy magnates of his province, or he consistently abused his position, he was unlikely to be called to account at Rome for abuse of power when his term was over. Governors were under no compulsion to consult the Senate or the Princeps⁵⁴. The proconsul and procurator, having *imperium*, were relatively unrestrained in their administrative and judicial authority over the locality of which they were in control. Maintenance of public order was by far the most important duty and, in so far as order was maintained, there would have been little reason for supervision from Rome.

While, for all practical purposes, the governor was unchecked in his authority over provincials who were not Roman citizens (*peregrini*

homines) - with the exception of wealthy and powerful provincials who would assume a privileged position - it is, for the most part, accepted by experts that the governor's wide ranging *imperium* did not include as extensive a legal jurisdiction over Roman citizens. Yet governors and lesser Roman magistrates in the provinces did possess the authority to judge and punish Roman citizens for minor offences. The exact nature of the punishment and the rights of the citizen in these cases will be discussed in more detail below and have important implications for a proper understanding of Acts 16:37 and 22:25. What the Governor and local magistrates did not legally possess, it is generally agreed, was the authority to punish Roman citizens accused of capital crimes, unless specifically authorized to do so by the Emperor. Citizens accused of capital crimes, which would have included murder, treason, adultery, among others, would most likely, it is argued, be sent to Rome either to appear before the Emperor or to one of the unappealable courts established to handle such capital cases⁵⁵.

The *Lex Valeria*, *Leges Porciae*, and *Lex Julia de vi Publica*

The earliest references to the laws which purportedly protected Roman citizens are found in Livy and Cicero. Cicero proudly recalls the introduction of the law proposed by Publius Valerius (*lex Valeria*), in 509 B.C., which protected the Roman citizen from the *coercitio* of the magistrate by appealing to the people (*provocatio ad populum*)⁵⁶. To Cicero, P. Valerius' law was merely a re-statement of the right to appeal which was recognized against a king's sentence and was recorded in the "records of the pontiff" (*pontificii libri*). Few present day Roman legal historians would accept Cicero's dating of the *lex Valeria*.

W.R. Long has recently summarized the accepted position:

The projection of the Valerian law back to 509 can be recognized as a product of annalistic legitimation which desired to show that *provocatio*, considered by Livy and Cicero to be the palladium of Republican freedom, really originated from the exclusion of the kings of Rome⁵⁷.

Despite the scholarly skepticism concerning the date of the "first" *lex Valeria*, Cicero's description of the actual force of the law is accepted as being historical and is, therefore, quoted in full:

It was the same man who, by an act whereby he shows himself in the highest sense 'the people's friend', proposed to the citizens that first law passed by the centuriate assembly, which forbade any magistrate to execute or scourge a Roman citizen in the face of an appeal. The record of the pontiffs, however, state that the right of appeal, even against a king's sentence, had been previously recognized, and our augural books confirm the statement. Besides, many laws of the Twelve Tables show that an appeal from any judgment or sentence was allowed.⁵⁸

According to Cicero, the Valerian law forbade magistrates from executing or scourging a Roman citizen in the face of an appeal. One of the many important issues contained in this law, and in the laws which followed it, regard the nature of the appeal. Did such an appeal force the magistrate to hand over the case to a court of second instance or was the appeal only against the *coercitio* of the magistrate? This question has been hotly debated and an understanding of the matter will be important to the discussion of Paul's appeal in Acts 25:11. Hence, we will refrain from a proper deliberation of this particular matter until later. At the present moment our interest is to identify those laws which protected Roman citizens from punishment.

Livy, who also believed that the first *lex Valeria* originated in the 6th century B.C., makes mention of a "third" Valerian law which was enacted in 299 B.C.. This "third" Valerian law is the one accepted by

the majority of Roman historians as historical. It is interesting to note, in Livy's description, the mention of the Porcian laws, which were subsequently added to give weight to the Valerian law. Livy's account is as follow:

In the same year Marcus Valerius the consul proposed a law of appeal with stricter sanctions. This was the third time since the expulsion of the kings that such a law had been introduced, by the same family in every instance. The reason for renewing it more than once was, I think, simply this, that the wealth of a few carried more power than the liberty of the plebs. Yet the Porcian law alone seems to have been passed to protect the persons of the citizens, imposing, as it did, a heavy penalty if anyone should scourge or put to death a Roman citizen. The Valerian law, having forbidden that he who appealed should be scourged with rods or beheaded, merely provided that if anyone should disregard these injunctions it should be deemed a wicked act. This seemed, I suppose, a sufficiently strong sanction of the law, so modest were men in those days; at the present time one would hardly utter such a threat in earnest.⁵⁹

Of particular interest is Livy's off-handed editorial comment: "The reason for renewing it more than once was, I think, simply this, that the wealth of a few carried more power than the liberty of the plebs" (*"causam renovandae saepius haud aliam fuisse reor quam quod plus paucorum opes quam libertas plebis poterat"*). That *provocatio* was a privilege serving the interests of the wealthy should be duly noted. Implied in this comment is the assertion that the law was never effective in protecting the rights of the plebs. Livy and Cicero agree that the Valerian law(s) protected Roman citizens from being scourged with rods (*virgis caedi*) or beheaded. Yet Livy goes on to say, with no little sarcasm, that the penalty for those who broke this Valerian law was remarkably lenient and that those of Livy's day would hardly have taken it seriously (*"nunc vix serio ita minetur quisquam"*).

The Porcian laws (*leges Porciae*), of which there were three,

provided for stricter sanctions against those magistrates who failed to uphold the Valerian law. The fact that stricter sanctions had to be imposed is evidence of the fact that the Valerian law was not always followed by magistrates. The actual dates of the enactments of the *leges Porciae* are unknown although it is agreed that the first of the laws was named after P. Porcius Laeca, authorized by the elder Cato and should be dated 199 or 195 B.C.E.⁶⁰. Of great importance is the numismatic evidence that has been used to assume that the third Porcian law extended the right of protection and appeal for the Roman citizen outside the *pomerium* (the area up to and including the first mile stone outside Rome) or in the *militiae*. Up to this time, it is assumed, the provincial authorities had unappealable *coercitio*. In 104 B.C.E., or thereabouts, a coin was minted in commemoration of P. Porcius Laeca whose name is affixed to the Porcian law. On the reverse of the coin is a standing figure clothed in a toga with his right hand held out in protest. In the centre is a taller figure dressed in military clothing (the *lorcia*), whose right hand is pointing at the protesting figure. A third figure, on the right, is carrying rods which are those of a lictor. Under the scene is the word "*PROVOCO*". Although there is some disagreement among scholars concerning the exact interpretation of the depiction on the coin, the standard explanation is that the togate figure must be a Roman citizen who is appealing against the punishment of the military governor in the provinces⁶¹. The question of the geographical extent of the laws protecting Roman citizens is important when considering the scenes in Acts and will be returned to below.

The last of the specific laws which were intended to protect the citizen from severe punishment at the hands of governors and magistrates

is the *lex Julia de vi publica*. Most date the passing of this law to 50 B.C., although some suggest a later date. Ulpian's mention of the law in his *libro octauo de officio proconsulis*, as recorded in the *Digest*, makes plain the prohibitions against execution, flogging, torture or imprisonment of a Roman citizen in light of an appeal:

Also liable under the *lex Julia on vis publica* is anyone who, while holding *imperium* or office, puts to death or flogs a Roman citizen contrary to his [right of] appeal or orders any of the aforementioned things to be done, or puts [a yoke] on his neck so that he may be tortured. Again, so far as relates to ambassadors, pleaders, or those who accompany them, anyone who is proved to have beaten or done them an injury.⁶²

Placed immediately following Ulpian's comments is a fragment of a work by the mid-second century jurist Maecian which reads:

It is provided in the *lex Julia on vis publica* that no one is to bind or hinder an accused so as to prevent his attending Rome within the fixed period.⁶³

What exactly is meant by "fixed period" is unknown.

There can be little doubt that laws protecting Roman citizens were known in some form from the days of the Republic to the days of the *Digest*. Yet, that the *lex Julia de vi Publica* is, for all practical purposes, merely a restatement of the earlier laws on appeal again suggest that the *lex Valeria* and the *leges Porcia* were far from effective.

Exceptions to the Laws

Having thus described those laws which were written to protect Roman citizens, it is necessary to turn to some classical sources which will help us discern the extent and force of the laws. After that we will return to our evaluation of Acts 16:37 and 22:25 and comment on the significance of those scenes.

Even Sherwin-White, who supports the traditional view that Roman legal privileges were equally administered to every Roman citizen regardless of social status up to the middle of the second century, finds it "remarkable" that "there were certain exceptions to the rules which forbade the capital sentence and execution of a Roman citizen by a provincial court"⁶⁴. It is indeed remarkable that the evidence used to support the claim that Roman citizens were protected in the provinces suggests the opposite. High ranking Roman officials, and even some lesser magistrates, do not appear to have been unduly bound by these laws. In the section which follows we will investigate the "exceptions" which have continually confounded the experts. We believe that the evidence suggests that magistrates were held accountable for forgetting social distinction, rather than solely for abusing citizen's rights.

Cicero's masterful prosecution of Verres is often cited as a proof-text for the efficacy of the *lex Valeria* and *leges Porciae*⁶⁵. G. Verres, who was governor of Sicily (73-70 B.C.E.), was tried before the Senators in Rome on charges of extortion which was, formally, a civil case. Yet above and beyond this specific crime, Verres had so oppressed and alienated the people of Sicily that, in effect, it was a criminal prosecution for general misgovernment. Verres was especially cruel to a number of Roman citizens whom he had herded into the mines and killed.

Cicero recounts one particularly horrific scene. He describes the humiliation, torture and death of Gavius of Consa who, having escaped from prison, was betrayed to Verres who, in turn, charged Gavius with spying. Gavius was flogged, beaten with rods in the open marketplace and finally crucified in sight of the coastline of Italy. All this took place despite Gavius' cry "*civis Romanus sum!*". Cicero claims that

Verres has ignored the *lex Porcia*, and, it is in this context that Cicero speaks the oft quoted words:

Facinus est vincere civem Romanum, scelus verberare, prope parricidium necare: quid dicam in crucem tollere? Verbo satis digno tam nefaria res appellari nullo modo potest"⁶⁶.

Although Cicero's remarks suggest that there were binding laws to protect the Roman citizen outside of Rome, it is interesting to note that Cicero described Gavius as not only a citizen of Rome but also as a gentleman, and a burgess of Consa who served with the distinguished Roman equestrian Lucius Raecius. In other words, it was not an obscure, ordinary citizen who was crucified. Cicero is stressing the credentials and status of Gavius before the Senators in Rome who would be particularly horrified at such disrespect for status. Verres had, it is true, been abusing Roman citizens, whose status is unknown, for some time. However, it is also true that Cicero is particularly appalled because Verres flogged and crucified Gavius, a man of distinction and social standing. The issue, apparently, was not not merely one of killing a Roman citizen but of killing a Roman citizen of reputation.

A.H.J. Greenridge, commenting long ago upon this case, argued that "...he [Cicero] invokes the guarantee furnished by the restored tribunate, whose auxilium was not valid outside the walls, but he makes no mention of any law which extended the *provocatio* to the provinces - obviously because there was no such law to quote."⁶⁷ Greenridge does not reflect the consensus opinion, although Cadbury too recognized the fact that there is no unambiguous written evidence to suggest an extension of these laws outside of Rome⁶⁸. A.H.M. Jones, on the other hand, has countered this argument by saying that Cicero would not have had "...to give chapter and verse for so obvious a fact,...it would have marred the

rhetorical effect of the passage"⁶⁹. Jones' remark has a logical weight but it does not diminish the force of the contention that individuals of high status would have been able to call upon this law with more effect than a rank-and-file citizen.

Besides Jones' contention, that it would have been taken for granted that the laws which protected Roman citizens extended beyond the city, there is other more specific evidence to support his claim. However, even this evidence is not without ambiguity.

Mention is made of Flaccus' abortive bill of 125 B.C.E. that proposed to give certain allies the option of *civitas* or the right of *provocatio*⁷⁰. *Provocatio* was also offered as a reward for non-citizens according to the epigraphic *lex Acilia*, although H.B. Mattingly points out that only the *higher Latin magistrates* (my emphasis) acquired it⁷¹. A. Lintott assumes that this provision of the extension of the right of appeal to certain non-citizens "would only be of real value to them if it applied outside Rome"⁷². Lintott also refers to a law proposed by Livius Drusus in 122 B.C.E. forbidding the flogging of Latins, even on military service⁷³. If Latin soldiers were exempt from flogging, certainly citizen soldiers would have been likewise exempt. However, Lintott admits that soldiers were never fully free from corporal punishment. At best the *lex Porcia* mitigated the severity of a military flogging. Furthermore, Lintott concedes that it is uncertain if Drusus' law was indeed passed or, if passed, remained on the statute books⁷⁴.

The case of T. Turpilius Silanus provides even stronger evidence that if laws existed to protect both citizen soldiers and non-military citizens outside of Rome, they were of dubious value in practice. T. Turpilius Silanus was a citizen, but of Latin extraction, who held the

post of *praefectus fabrum*⁷⁶. During the war with the Numidian Jugurtha, Turpilius apparently conspired with the rebel forces against Mettallus, the Roman to whom Numidia had been assigned by the Senate. While the Numidians of the city of Varga turned on and massacred the Roman centurions and tribunes, who had defected to their side, Turpilius escaped. He was then summoned by Metellus before a court martial⁷⁷, was condemned to be scourged and put to death. Sallust's disgust with Turpilius is clearly reflected in the words, "...he seems to me a wretch utterly detestable"⁷⁸. Yet Plutarch, on the other hand, believes that Turpilius was innocent⁷⁷. In any event, he was executed and his citizenship did not make any significant difference to Metellus. A. Lintott believed that he was executed because "his Latin origins made reprisals for this unlikely"⁷⁸. If a citizen of Latin extraction, one who held a position of authority, could not depend on the protection of the *lex Porcia*, one can only wonder if a certain citizen of Tarsian extraction would have automatically received protection several generations later.

By far the most important evidence which suggests that the *lex Porcia* extended the right of *provocatio* outside the *pomerium* is the Laecean coin which has been mentioned above. We have already described the consensus interpretation represented by W. Long (the figure on the left is appealing against the figure in the centre who is in military dress), and the interpretation of Bleicken (figure on the left is appealing to the military figure for protection) which very few find convincing⁷⁹. However, even if the coin, as the consensus agrees, was minted to commemorate the law that extended the right of *provocatio* into the *area militiae*, it does not prove its effectiveness in restraining

the *coercitio* of the governor, nor does it prove that protection for rank-and-file Roman citizens against Roman provincial authority was ever guaranteed.

But if the laws were not always effective, or perhaps were ever intended to extend outside of Rome, why did Romans in the provinces appeal and, more to our interest, why would Luke describe Paul relying on the protection of these laws? Furthermore, if the laws were not effective, why would Luke emphasize the fact that the magistrates of Philippi (16:38) and the Tribune and centurion in Jerusalem (22:29) were frightened when it was discovered that they had mistreated a Roman citizen? It can safely be assumed that both Luke and his audience were aware of the social and legal customs of the day and would have understood the implications of the accounts. Then, what was Luke attempting to portray? What Greenridge states, Cadbury implies, and Kunkel and Garnsey assume, is that any protection that a Roman citizen received in the provinces was a matter of custom rather than of law. A Roman citizen in the provinces was a privileged person, for his citizenship could, at times, save him from non-Roman provincial justice. Yet only those citizens who also possessed wealth and prestige beyond the citizenship were in the position to procure any certain legal advantages. With this short excursus into the extension of the *lex Porcia* completed, it is necessary to return to our review of other classical evidence.

Sherwin-White placed great importance on the second edict of Augustus to Cyrene which, to Sherwin-White, shows that the *lex Julia* was being applied in the provinces. He writes:

A certain Sextius Scaeva, who appears to be a private citizen rather than a magistrate, had caused three Roman citizens to be sent in chains from the province to Rome for a judicial inquiry. Augustus declares that: 'no blame or ill-feeling should attach to Scaeva for this act...which was in order and proper.' Augustus was protecting Scaeva in advance against any charge made against him under the clause of the *lex Julia*... which forbade anyone to bind a Roman citizen.⁸⁰

Yet the evidence of Augustus' edict is hardly as clear as Sherwin-White would have it. There is no specific mention of the *lex Julia* in the edict and, hence, one should not assume that Augustus was here referring to the law that allegedly extended into the provinces. Furthermore, it is not entirely clear what infraction Sextius Scaeva had committed which needed protection. Was it that he chained and sent Roman citizens to Rome, or was it that he was a private citizen doing what was assumed to be the sole responsibility of the Roman magistrate? If we can be allowed to put the contentious issues of Paul's trial, appeal, and journey to Rome to the side for the moment, Acts mentions that Paul was in chains, or at least handcuffed during his light imprisonment in Rome (28:20), and there is no mention of any law being broken. One can only assume that a form of chaining was allowed in order to maintain control and protect a prisoner en route to Rome or while awaiting a hearing. Being in chains does not necessarily entail a Houdini-like imprisonment. Finally, the three Roman citizens were sent to Rome because they possessed knowledge pertaining to the welfare of the Emperor! Therefore this edict indicates, if nothing else, that if certain laws were binding in the provinces, exceptions for special cases could be made, and if any specific laws are implied in the words of Augustus, this edict points to the fluidity of their interpretation.

Josephus reports that G. Florus (66 C.E.) flogged and then crucified

a number of Jewish Roman citizens who were of equestrian rank⁸¹. Jones contends "...it was clear from his [Josephus'] comment that this action was illegal."⁸² However we would argue that while Josephus is indeed appalled, he does not mention that Florus broke any law. Instead, we believe that Josephus was shocked that Florus would treat equestrians in a manner usually reserved for slaves. Treating equestrians this way was, to Josephus, without precedent and hence notable⁸³.

Suetonius reports that Galba, while Governor of Spain, crucified a Roman citizen⁸⁴. When the man cried out his protest, Galba, pretending to lighten the punishment, ordered a new, larger, whitewashed cross and ordered the man to be crucified again. There is no mention that Galba broke any law. It can be argued that the Roman citizen was appealing not against the sentence but against the means of execution: crucifixion was usually reserved for slaves and provincials of low status. However, it must be noted that Galba did not automatically send the citizen to Rome, as he felt competent to judge the case, deliver the sentence and punish the prisoner. Furthermore, this act did little to harm Galba's future Imperial position.

Pliny writes that Marius Priscus, who had been the proconsul of Africa, accepted bribes to condemn and to execute innocent persons and to allow Roman equestrians to be condemned to various tortures. Marius Priscus was impeached not on charges of breaking the *lex Valeria* but for accepting bribes⁸⁵.

The evidence does not indicate that Roman provincial authority felt unduly bound by laws which explicitly forbade flogging and crucifixion of Roman citizens. The evidence does show, however, that where specific mention is made of abuses of power, it is always connected with cruelty

to individuals of high social status: those who would normally have expected protection due their rank. We believe that this fact is important to remember when we return to the report of Paul's "appeals" in Acts 16, 22 and 25.

A.H.M. Jones and Sherwin-White have attempted to circumvent the apparent difficulties of the noted exceptions by arguing that there was a distinction in matters of appeal "between two classes of crime - those of the *ordo* defined by statute laws, and those that fell *extra ordinem*"⁹⁶. Certain capital crimes defined by the statute laws (*ordo*) fell under the jurisdiction of specific courts in Rome to which Roman citizens would be referred⁹⁷. Those crimes which were defined by the *ordo* included murder, adultery, forgery and treason. However, both Jones and Sherwin-White believe that for "reasons of practical utility" exceptions were made. Sherwin-White rightly perceives that sending every Roman citizen to Rome, "... could lead to great inconvenience, or even to a breakdown of jurisdiction."⁹⁸ To Jones and Sherwin-White, provincial authorities could sentence and punish those citizens found guilty of crimes which were defined by the statute laws. The citizen's right of appeal was no longer allowed in such cases. However, those citizens involved in crimes which were not so defined (*extra ordinem*) could appeal. While Jones' and Sherwin-White's contention does offer a possible explanation, it founders on several accounts. Primarily, these exceptions seem to dilute the force of the laws and give the provincial governors extensive freedom in their *coercitio*. This counts against Sherwin-White's insistence that the Roman laws were binding and effective throughout the Empire for all Roman citizens. Furthermore, Sherwin-White appears to be forcing an incorrect interpretation of *extra*

*ordinem*⁸⁹. As P. Garnsey asserts in direct response to Jones and Sherwin-White:

The whole theory leans on a false interpretation of *cognitio extra ordinem*. *Extra ordinem* does not mean "off the list". The whole phrase describes a form of magisterial action which might be employed in the trial of a *reus* accused of any criminal offence, irrespective of whether or not it fell under a *lex publica*⁹⁰.

The consequences of *cognitio extra ordinem* or *cognitio extraordinaria* gave the governor in the province far wider jurisdiction. It did not restrict his options. In fact, some have claimed that the governors were never legally bound to follow the procedure laid down by the statute laws⁹¹.

More of these exceptions and further evaluation of the evidence will appear in the next chapter when we investigate the report of Paul's "appeal" to Nero. For the present moment we shall return to the accounts of Paul's confrontation in Philippi and Jerusalem and seek to understand the import of these scenes.

Acts 16 and 22

In order to facilitate the transition from the discussion of Roman legal history to more specific comments relevant to the particular scenes in Acts, we shall recount the issues at stake. In chapter 16, and again in chapter 22, Paul, according to Luke, makes explicit use of his alleged Roman citizenship. In Philippi, Paul and Silas shame the magistrates who had them beaten and thrown into prison. Likewise, in Jerusalem, Paul halts an imminent beating by the Roman soldiers. These two accounts, along with the report of Paul's "appeal" in Acts 25:11, traditionally have been used to support the historicity of Paul's Roman citizenship. The crucial query is hereby raised: why doubt that these

events occurred as Luke reported?

As we have shown, there were laws, particularly the *lex Julia*, that were intended to protect Roman citizens from summary beatings, torture, chaining, imprisonment and, ultimately, death at the hands of a Roman magistrate *adversus provocationem*. Admittedly, if one looks at these specific scenes alone, and does not judge them in light of the crucial relationship between social status, legal privilege and the overall picture of Paul in Acts, one is apt to conclude that there is little to be gained in questioning the historicity of Paul's Roman citizenship or in suggesting that Luke shaped these scenes to highlight Paul's status.

However, we have, in an earlier chapter, already had reason to investigate the reports of Paul's trouble in Philippi and Jerusalem in terms of how Luke contrasts Paul with those who have arrested him. In both cases Paul is placed before individuals who are of Roman status and implicit comparisons are made which would have been recognized by Luke's audience. On the one hand, the magistrates of Philippi are compared with the rabble (a Roman rabble - 16:21) which drags Paul and Silas before the *duoviri*. On the other hand, the Roman magistrate and the Roman rabble are contrasted with Paul and Silas who are also, it is reported, Roman citizens. Similarly, in Acts 22, the status of the Tribune (χιλῑάρχος), stationed in Jerusalem, is diminished because his citizenship was purchased and not inherited. This explicit comparison of status is of special interest, as we had cause to mention above, because Tribunes were usually Roman citizens of equestrian rank⁹². Paul, by contrast, shows himself to be of higher inherited status than the Tribune. Likewise, in Philippi, Paul, despite his night in prison, is portrayed as a man of *dignitas* who commands the magistrates to escort

him personally from the prison, and is obeyed! Therefore, on one level, the purpose of these stories is to highlight Paul's social standing by contrasting him with others. Furthermore, we have had reason to question the details of Paul's Roman citizenship in light of the ambiguities raised in Luke's description that Paul was also a Pharisee and a citizen of Tarsus.

Yet, assuming for the moment that Luke has accurately recorded the particulars of the events at Philippi and Jerusalem, a problem arises. If Paul could have saved himself from a beating, as happened in 22:25, why did he wait to make his citizenship known only after a night spent in prison? This is, of course, a question which has often been asked.

Most commentators rely on one of two explanations. Either Paul did cry out his protest but it was not heard⁹³, or he chose not to make his citizenship known for, in the words of Haenchen, "...it was wise for him not to appeal to his Roman right of citizenship. It would indeed have spared him from the lashing, but the appeal would have entangled him in a protracted trial with an uncertain outcome, and during this time the possibility for a mission would be as good as gone."⁹⁴ Haenchen's comments, as they stand, are hardly helpful. If Paul had been a Roman citizen, as reported, who could rely on the various laws of protection which were, it is argued, binding, his appeal would not necessarily have led to a "protracted trial". His appeal, had it been heard, would have stopped the punishment and, most likely, led to his immediate release. As indicated in the story, the magistrates, without knowledge of Paul's citizenship, were going to release him after only one night in the prison. In any event, Haenchen's explanation is no doubt based upon his insistence that Luke always portrayed Roman officials in a positive

light. If Paul withheld, by not appealing, the vital information of his citizenship, the magistrate could not be held accountable for the oversight. While we believe that Haenchen has missed the importance of the scene, there is something in his comment worth remembering. It appears as if the onus was on the individual for making his citizenship known. If a Roman citizen did not reveal his citizenship, then the magistrate or governor could not be held responsible for the punishment which followed. The precise wording of the various laws does not suggest otherwise. It is interesting to note that Cicero's specific accusation against Verres, ⁹⁵ which we have alluded to above, is not simply that he beat and crucified a Roman citizen, but that Verres punished and sentenced Gavius to death despite Gavius' assertion that he was a Roman citizen. Cicero finds it inexcusable that Verres did not even stop the punishment in order to investigate Gavius' claim⁹⁵. With regard to Acts 16, if it is the case that Paul would have been responsible for making his citizenship known, then the "fear" of the magistrate, reported by Luke, is interesting - for why would the magistrates have been afraid? It is a question to which we shall return.

The first alternative, that Paul appealed to his citizenship but was ignored, is the better of the two. Considering the potentially riotous consequences of the uproar of the crowd it is logical to assume that any cries of protest would have been ignored, or unheard. Yet, if Paul's appeal had once been ignored then there is no reason why the magistrates would have been afraid the next morning. That leaves the alternative that, in Luke's account, Paul did cry out but was not heard. However, in our mind, even this explanation is, ultimately, unsatisfactory. We believe that there is a case to be made for the contention that Paul's

declaration of his citizenship in 16:37 was not part of the earliest account which came either to Luke or his source. After looking at several legal issues, we will have cause to return to this claim - that originally Acts 16 was based on a story of Paul's and Silas' trouble and overnight stay in the Philippi prison without reference to their Roman citizenships.

Besides the potential internal incompatibility of Acts 16 and 22, there is the potential external inconsistency between the reports in Acts and Paul's explicit statement that he was thrice beaten with rods (2 Cor. 11:25) and also thrown to the wild beasts (I Cor. 15:31-2). These specific punishments do not easily coincide with Luke's account in Acts that Paul was a Roman citizen nor, needless to say, that he was a Roman citizen of high status.

In his second letter to the Corinthian community, Paul describes his many tribulations. The list begins in the following manner:

ὑπὸ Ἰουδαίων πεντάκις τεσσαράκοντα παρὰ μίαν ἔλαβον, τρίς ἑρραβδίσθην, ἅπαξ ἐλιθάσθην, τρίς ἐναυάγησα, νυχθήμερον ἐν τῷ βυθῷ πεποίηκα... (11:24-5)

There have been many attempts to reconcile the list in Corinthians with the description of Paul's punishments in Acts in order to harmonize the accounts⁹⁶. Luke does not describe any of the five times that Paul received the forty lashes minus one. But Luke does report a stoning (Acts 14:19), and the shipwreck reported in Acts 27:13ff. might coincide with one of the three shipwrecks noted by Paul. However, the precise coincidence of the shipwreck in Acts and one of the three listed by Paul in 2 Corinthians founders on the fact that the historical context of the epistle corresponds to Acts 20:1 not Acts 27. While the account of the shipwreck in Acts probably was shaped by the traditions about Paul's

three sea disasters, little more than this can be said. Furthermore, Acts makes no mention of Paul being thrown to the beasts. While there has been a lively debate concerning the literal, as opposed to the symbolic, importance of Paul's words in I Corinthians 15, the fact remains that it was highly unlikely for a Roman citizen to be condemned *ad bestias*⁹⁷. C.K. Barrett and H. Conzelmann have noticed a rescript in the Digest which suggests that there were some crimes for which people could lose their rights of citizenship and, thereby, be liable for punishments not usually associated with Roman citizens⁹⁸. However, as Barrett points out, Acts 22:25 assumes that Paul was still a citizen. It is hardly likely that Paul would have lost his citizenship and then had it restored so that he could call upon its privileges! Without doubt, Luke, or his source, was highly selective with the material, or only knew some of the items, which were to be included in Acts.

Of particular interest to our study is Paul's claim that he was beaten with rods three times (τρίς ἑπαβδίσθην). Rods were held by the lictor who was under the authority of the magistrate or the governor⁹⁹. Being beaten with rods (ῥαβδίζω - *virgis caedere*) or being whipped with a leather quirt (μαστιζω - *flagello*) were Roman punishments that Roman citizens would, it is traditionally argued, have legally been able to avoid under the *lex Valeria*, the *lex Porcia*, and the *lex Julia*.

Attempts at harmonization have usually rested on the assumption that magistrates confronted by a potential riot were not always careful or concerned about specific laws¹⁰⁰. As Plummer noted long ago, "the fact that St. Paul was thrice treated in this way is evidence that being a Roman citizen was an imperfect protection when magistrates were disposed to be brutal."¹⁰¹ Most commentators today would agree with Plummer's

remarks. Yet the admission that there were exceptions at three different places on Paul's itinerary seems to support our contention that the *lex Julia* was not applied consistently or extensively throughout the Empire. Furthermore, if exceptions were commonplace, why would the *duoviri* of Philippi be afraid? Apparently what Luke seems to imply is that Paul had the "connections" to get revenge if he so desired. It is interesting to note that "fear" is, of course, the same reaction expressed by the Tribune when he discovered that he was about to flog a Roman citizen (ὁ χιλιάρχος δὲ ἐφοβήθη).

Sherwin-White has presented another alternative¹⁰². His interpretation rests upon his reconstruction of three distinct developmental stages in Roman law concerning protection of citizens. The first stage prohibited the punishing of any Roman citizen on any charge, the second stage accepted certain exceptions to the strict interpretation of the laws, and the third stage formalized the distinction between the *honestiores* and *humiliores*.

Sherwin-White suggests that a more careful reading of the Lukan account of Paul's difficulties in Philippi reveals that Paul was not just protesting against the fact that he was beaten but that he had been beaten although "uncondemned" or "untried" (ἀκατακρίτους - 16:37; ἀκατάκριτον - 22:25). To Sherwin-White, such terms imply that provincial authorities might administer a flogging after sentence if the Roman citizen did not appeal or, in special cases, which are recognized by the *lex Julia*, recorded in the *Sententiae Pauli*, which allowed magistrates certain police powers¹⁰³. Hence, that Paul, in the Corinthian correspondence, acknowledges that he was beaten with rods three times suggests, to Sherwin-White, that in these three cases Paul

was condemned

by the Roman authorities and was properly beaten. Hence, these legal punishments fit into Sherwin-White's second stage ("middle period"). While this might explain away the difficulty, one must be careful not to follow Sherwin-White's reconstruction uncritically. It appears, despite his proven expertise in many areas of Roman law, as if, in many places, he shapes his understanding of Roman law by his uncritical acceptance that Acts is historical. Therefore, where Acts does not easily coincide with the laws, Sherwin-White seems to assume that changes must have taken place in Roman law so that the exceptions in Acts are reconciled.

Sherwin-White is correct that provincial governors and local magistrates did possess *coercitio*. Local magistrates of Roman colonies were allowed two lictors apiece and could, presumably, use them in certain situations¹⁰⁴. Furthermore, Josephus reports that the non-Roman magistrates of Caesarea, a city which did not possess a privileged status, were not reprimanded for punishing rioters with stripes and bonds¹⁰⁵. Paul's 39 lashes at the hands of the Diaspora Jews and the prohibition against non-Jews in the Temple seem to suggest that non-Roman officials could punish their own. If non-Roman magistrates had *coercitio*, it seems to prove the case *a fortiori* that Roman magistrates in Roman colonies possessed a like *coercitio* over citizens. This contention is also supported by the evidence which was provided in the preceding section.

Of course non-Roman magistrates and free cities, like Rhodes and Cyzicus, could be punished for mistreating Roman citizens¹⁰⁶. That Rome protected her citizens from non-Roman law seems certain. However, the evidence does not show that a Roman magistrate, claiming to maintain law

and order, would be punished for use of his police privilege. This is particularly so if the citizen, like Paul, had not revealed his citizenship.

Sherwin-White concludes his discussion of the events at Philippi with the following summary:

The narrative agrees with the evidence of the earlier period that a Roman citizen of any social class was protected against a casual beating (without trial) whereas the *humiliores* of the late empire had lost this protection¹⁰⁷.

Although Sherwin-White presents a plausible explanation for the scenes in Acts 16 and 22, we believe that his comments do not exclude another interpretation. Firstly, we would disagree with Sherwin-White that a Roman citizen "of any social class" was protected. We have argued that a distinction between citizens was always recognized, even if not so stated in specific legislation. Secondly, Sherwin-White assumes that there is nothing particularly special about the Lukan portrayal of Paul. In a later publication Sherwin-White describes Paul as a "rank-and-file" Roman citizen¹⁰⁸. A "rank-and-file" Roman citizen Paul, in actuality, might have been. However, our reading of the Lukan portrayal of Paul has led us to believe that the author of Acts was not satisfied with the description of Paul as such. Indeed our understanding of the text, on the contrary, has shown that Luke, again and again, portrays Paul as a citizen of high social standing. If we are correct, then Sherwin-White's conclusion cannot be accepted as stated.

We would argue that the narrative in Acts addresses throughout the fundamental importance of social status in the Graeco-Roman world. If Roman magistrates in Roman colonies could, under certain circumstances,

use force and punishment for minor offences, then it seems likely that the magistrate of Philippi would have had little concern unless the one who was punished was of sufficient status to be in the position of complaining to the Governor or seeking to revenge his humiliation. Again, our contention that in Acts 16, Paul is contrasted with the Roman rabble suggests that a subtle, but obvious, status claim is being made about Paul. The mistake of the magistrate was not in beating a citizen but in treating a citizen of high station with contempt.

It must be granted that the incident in Philippi is confusing and raises more questions than it answers. It must also be admitted that the simple explanation that Paul attempted to cry out but was unheard does explain the apparent internal inconsistency between Acts 16:37 and Acts 22:25. Furthermore, the two attempts to harmonize the accounts in Acts with 2 Corinthians are plausible. However, in light of the various exceptions to the Roman laws, which purported to protect Roman citizens, and in light of Luke's overall interest in portraying Paul as a man of high social status, we are drawn to at least consider another scenario.

It must be assumed that Paul's account in 2 Corinthians is historical. Furthermore, it seems certain that Luke, or his source, used a tradition about a beating at Philippi to shape the story in Acts. M. Dibelius, and many others, have recognized that Acts 16 consists of a source which described Paul's and Silas' arrival in Philippi, their troubles with the local population and the authorities, and their release¹⁰⁹. In the middle of the basic structure of the story lies the account of the earthquake and the conversion of the gaoler which has, it is generally agreed, been inserted. While we would accept Dibelius' critical position, we would add to it that Paul's (and Silas'?)

citizenship is introduced with such dramatic intent that the question of its historicity must at least be raised. Paul and Silas are going to be released in any event by the magistrates of Philippi and, at first reading, the insertion of the claims for citizenship seems redundant. We believe that the introduction of the Roman citizenship at this point serves primarily an important dramatic function. Luke can hardly recount a scene in which his hero is beaten up by Roman authorities. It would not coincide with the overall portrayal of Paul as a man in control of every situation, of high social status and moral virtue. That Paul is beaten emphasizes the brutality of the Roman magistrates and draws special attention to the low status of the crowd which initiated the proceedings against Paul. Yet, in so far as Paul, in the end, demands an official apology and frightens the magistrates who then escort him out of the city, this scene emphasizes Paul's control and his *existimatio*. These characteristics have implications for a proper understanding of Paul's portrayed social status.

Since many of the issues raised in Luke's account of Paul's arrest in Jerusalem (Acts 22) coincide with the issues raised in Acts 16, a lengthy discussion is not required. We would contend that the emphasis of the account in Acts 22 is upon the dramatic revelation of Paul's citizenship, the comparison of Paul's inherited status with the purchased citizenship of the Tribune and the mention of the Tribune's fear (22:29 - ἐφοβήθη).

The mention of the leather quirts (οἱ ἱμάντες) is interesting. The Latin equivalent for the Greek οἱ ἱμάντες is *flagella*. The Digest records that the *flagellum* was an appropriate punishment for slaves in certain circumstances¹¹⁰. Cicero notes that being beaten with the

flagella was a more severe punishment than being beaten with rods (*virgae*)¹¹¹. There had always been, as indicated at the outset of this chapter, a correspondence between the severity of the punishment and the social status of the one who was punished. That here, in Acts 22, Paul was about to be treated as a slave makes his appeal to his citizenship all the more dramatic and suggests why the Tribune was so afraid: he had almost treated a man who possessed a superior status in a manner usually reserved for those who held no legal status at all. The fact that Paul had been tied up and was about to be tortured was not, in itself, a breach of Roman law. As mentioned above with regard to Paul's confrontation with the magistrates of Philippi, if Paul had not appealed to his citizenship, the Tribune in Jerusalem would not have been held responsible for the beating. As described in Acts, Paul claimed his citizenship rights, his appeal was accepted by the Tribune and he was released. There would have been no reason for the Tribune to be afraid.

Therefore, in conclusion, the events in Philippi and Jerusalem have much in common that is of importance to our overall thesis. In both accounts, Luke has emphasized the fear of those individuals who were in authority. Yet we have argued that, as the narratives stand, there appears to be no legal reason why the magistrates and the Tribune would have been afraid. In Philippi, as retold in Acts, Paul never explicitly appealed and so the magistrates would not have been held accountable. In Jerusalem, Luke reports that Paul did appeal for protection and, after a personal interview, the Tribune accepted Paul's claim and halted the proceedings which could have led to torture, a punishment which was usually reserved for slaves. The Tribune, like the magistrates, had no reason to be afraid of breaking any law. We have not found sufficient

evidence that would suggest that Roman authorities were unduly restrained in their maintenance of law and order. In fact, Sherwin-White's evidence that provincial Roman authorities did possess *coercitio* over citizens, indicates just the reverse. In light of this evidence, we believe that the fear expressed by the magistrates and the Tribune was not caused by a legal infraction but rather by a severe breach of social convention. They realized that Paul was no ordinary citizen and Luke, in shaping these accounts as he did, wanted to give this same impression to his reading audience.

Conclusion

In summary, in this chapter we intended to investigate two scenes (Acts 16 and Acts 22) where Luke that Paul "appealed" to his Roman citizenship in order to protect himself from the *coercitio* of Roman officials. These two scenes have traditionally been accepted as, at the very least, relying upon sources which described historical occurrences in the life of the historical Paul. Hence, while most critical commentators recognize a certain amount of dramatic intention on the part of Luke, there is little in the way of a full discussion of the problematic issues involved. However, as is argued throughout this dissertation, we have had cause to be skeptical of the historicity of the accounts offered in Acts. In our investigation of the actual Roman laws which Paul supposedly used to protect himself, we discovered that the laws were not always effective in stopping provincial authorities from punishing and even killing Roman citizens. By the middle decades of the first century, Roman law was not uniformly followed in all places of the Empire. Furthermore, we were led to believe that those

individuals of high social standing and reputation were more likely to receive the protection which these laws intended to provide than were those citizens of low social status. Therefore, while recognizing that these scenes raise many difficult questions, we conclude that Luke, or his source, dramatically shaped these scenes in order to highlight Paul's status and stature. That Luke, in both accounts, emphasized the fear of the Roman authorities suggests that Paul was no mere "rank-and-file" citizen, but was an individual one could not dismiss lightly or punish without regret.

Having thus investigated the various laws which were intended to protect the Roman citizen from the *coercitio* of Roman magistrates and military authorities, it is appropriate at this time to look more closely at the many problematic issues involved with the details of Paul's "appeal" to Nero, as recorded by Luke in Acts 25:11. Moreover, in this next chapter we will also investigate other legal issues concerned with the treatment of prisoners before and after trial and while on transit to Rome. At the end of the chapter a more appropriate general conclusion will be offered which will, it is hoped, cover the investigation of the importance of the legal issues of Acts.

Notes for chapter 5

1. Miles, G.B. and Trompf, G. 'Luke and Antiphon; The Theology of Acts 27-28 in the Light of Pagan Beliefs about Divine Retribution, Pollution and Shipwreck,' HIR 69, 1976 pp.259-267.; vid. Ladouceur, D. 'Hellenistic Preconceptions of Shipwreck and Pollution as a Context for Acts 27-28,' HIR 66, 1973, pp.435-449.
2. Long, W.R., 'The Paulusbild in the Trial of Paul in Acts' SBL Seminar Papers 83, pp.87-106. Long's article is really on the literary aspects of the trial using the rhetorical handbook as a guide. His conclusions are helpful although he does not go into depth. He concludes that Paul is defending his Jewishness to an audience around 90 A.D. "who might have been inclined to think otherwise"; Trites, A.A. 'The Importance of Legal Scenes And Language in the Book of Acts' Novum Testamentum 16, 1974, pp.278-284; Veltmann, F., 'The Defense Speeches of Paul in Acts' in Talbert's Perspectives, pp.243-256.; also printed in SBL Seminar Papers 77 pp.325-340
3. Neyrey, J., 'The Forensic Defense Speech and Paul's Trial Speeches in Acts 22-26; Form and Function' in Talbert's, New Perspectives, pp. 210-224.
4. Cicero, De oratore [De or.] 2.43.184, apud. Neyrey, op.cit., p.211.
5. Quintilian, Institutio Oratoria [Inst.] 4.1.7, apud. Neyrey, op.cit., p.211.
6. Radl, W., Paulus and Jesus im lukanischen Doppelwerk: Untersuchungen zu Parallelmotiven in Lukasevangelium und in der Apostelgeschichte, (Frankfurt: Peter Lang, 1975), pp. 123-137; Praeder, S.M., 'Miracle Worker and Missionary: Paul in the Acts of the Apostles' SBL Sem. Pap., 1983, pp.107-129; Moessner, D.P., 'The Christ Must Suffer': New Light on the Jesus-Peter, Stephen, Paul Parallel in Luke-Acts,' Novum Testamentum, 28, 1986, pp.220-256.
7. It is interesting to note that Jesus' genealogy in Luke does not, like the genealogy in Matthew's gospel, include the references to Tamar, Rahab, Ruth and Mary. That Luke and Matthew did not have the same genealogy in front of them is obvious. However, the presence of prostitutes, non-Jews and un-wed mothers in Jesus' formal genealogy would certainly not fit Luke's purpose!
8. Schrenk, G., 'δίκαιος', IDNT, vol. 2, pp.182-191; Karris, R.J., 'Luke 23:47 and the Lucan View of Jesus' Death' JBL, 105, 1986, pp.65-74.
9. Danker, F.W., Benefactor, p.345.
10. The best known full-length studies include Cadbury, H.J., 'Roman Law and The Trial of Paul' in Reg. v, pp.297-338; Sherwin-White, A.N., Roman Society and Roman Law in the New Testament [Rom. Soc.] (Oxford: At the Clarendon Press, 1963). And more recently, Long, W.R., 'The Trial of Paul in The Book of Acts; Historical, Literary, and Theological Considerations', ['The Trial of Paul'] unpublished PhD. dissertation, Brown University, 1983.
11. The problem is - does the two years refer to the length of time Paul was in prison or to the length of Felix's tenure? Vid., Reg. V, additional note 34 'The Chronology of Acts', p.435 recognizes that the two-years usually refers to Paul's imprisonment but the meaning of the verse is "wholly ambiguous". Haenchen, Acts, p.661 also notes ambiguity but writes, "...usually related to Paul's imprisonment and actually is intended by Luke, who was interested only in Paul's imprisonment." We are not so sure that Haenchen is correct.

We would argue that since Luke is not emphasizing Paul's imprisonments it might be better to read it as the length of Felix's term of office. Either way it really doesn't matter to our argument.

12. We are using Kümmel's designation here, Introduction to the New Testament, trans. H.C. Kee, (London: SCM Press, 1975), p.250. He includes Ephesians, Philippians, Colossians, and Philemon. Of course, the question of Pauline authorship has been raised for each of these letters; Houlden, J.L., Paul's Letters From Prison, (Bath: Chivers-Penguin Library, 1970), pp.38-41; 134-139; 240-253.

13. Millar, F., The Emperor in The Roman World (31 BC- AD 337), (London: Duckworth, 1977) p. 511.

14. (ed.) Mommsen, T and Krueger, P., trans. Watson, A. The Digest of Justinian, 4 vols., [Dig.] (Philadelphia: University of Pennsylvania Press, 1985).

15. Sherwin-White, A.N. 'The Roman Citizenship. A Survey of its Development into a World Franchise' ANRW I,2, ['The Roman Citizenship'] pp.23-58, 1972. This article is an updated version of his earlier work The Roman Citizenship (Oxford: Clarendon, 1939) which, in turn, was re-edited and re-published The Roman Citizenship² [The Roman Citizenship] (Oxford: Clarendon, 1973).

16. Evidence for the Constitutio Antoniniana can be found in P. Giessen 40 which has a number of lacunae. The Digest I.v.17 makes mention of it and Dio Cassius ,lxxviii,9, reports that while the extension of the citizenship was considered a great privilege it was extended to aliens to increase the tax revenue. Jones, A.H.M., History of Rome through the Fifth Century, Vol.2 The Empire: selected documents, (London: Macmillan, 1970) presents the extant evidence.

17. Dig. 47.12.11; cf. PS 5.19A = Sententiae Receptae Paulo Tributae. Julius Paulus lived and worked beginning of the 3rd century C.E. A well respected jurist, nearly 1/6 of the Digest is made up of his work!

18. Dig. 47.21.2.: do poena tamen modus ex condicione personae et mente facientis magis statui potest; nam si splendidiore personae sunt, quae convincuntur, non dubie occupandorum alienorum finium causa id admiserunt, et possunt in tempus, ut cuiusque patiatur aetas, relegari, id est si iuuenior, in longius, si senior, recisius, si vero alii negotium gesserunt et ministerio functi sunt, castigari et ad opus biennio dari, quod si per ignorantiam aut fortuito lapodes furati sunt, sufficiet eos verberibus dicidere.; Vid. Garnsey, P., 'Legal Privilege in The Roman Empire', (ed.) Finley, M.I., Studies in Ancient Society, ['Legal Privilege'] (London: Routledge and Kegan Paul, 1974), pp.156-7.

19. Dig. 47.9.12.1; si humiliore loco sint, bestiis obici solent; si in aliquo gradu id fecerint, capite puniuntur aut certe in insulam deportantur.; vid.28.22.6.1.

20. Sherwin-White, Rom. Soc., p.69, 174; vid. Jones, A.H.M., 'I Appeal to Caesar' ['I Appeal'], Studies in Roman Government and Law, (Oxford: Basil Blackwell, 1960), pp.56-7.

21. Garnsey, P. Social Status and Legal Privileges in the Roman Empire, [Social Status] (Oxford: At the Clarendon Press, 1970) p.1.

22. Ibid. p.3.

23. De re publica [De re pub.] 1.43.

24. Kelly, J.M., Roman Litigation (Oxford: At the Clarendon Press, 1966), p. 1.
25. Ibid., p.2.
26. Ibid., p.61.
27. Dig. 48.19.28.16.: maiores nostri in omni supplicio severius servos quam liberos, famosos quam integrae famae homines punierunt.
28. O'Neill, J.C., The Theology of Acts² (London: SPCK, 1970).
29. The relationship between high status and legal privileges can be detected even today. A Black-American comedian, Richard Pryor, tells of a poor black youth who goes to the courts to find "justice". What he finds is, "just-us". Pryor is asserting that the court system of America is biased towards rich white adults. Whether this is, in reality, true is beside the point. Those of low status perceive that there is legal inequality. The relationship of status to legal privileges is not an issue that is isolated to any one era. Yet, whereas such bias is illegal in the present day American legal system it was, apparently, fundamental to the Roman legal system.
30. Neyrey, J., 'The Forensic Defence Speech' p.211.
31. For references to Genus, vid., Quintilian, Inst 5.10.24ff; Cicero, De inventione [De inv. 12.35.107ff; 1.24.34-5; ibid. Oratio pro P. Quinctio [Quint.] 3.11.12; Livy, 6.34.11.
32. For references to Mores, vid., Quintilian, Inst. 5.10.24ff; 7.2.33.
33. For references to Facultas, vid., Quintilian Inst. 5.10.24; Cicero, De inv. 1.24.34; ibid. De off. 1.9.29.
34. De inv. 2.30. Translation, H.M. Hubbell, Loeb Classical Library, Et ex fortuna saepe argumentatio nascitur, cum servus an liber, pecuniosus an pauper, nobilis an ignobilis, felix an infelix, privatus an in potestate sit aut fuerit aut futurus sit, consideratur; aut denique aliquid eorum quaeritur quae fortunae esse attributa intelleguntur.
35. Ibid. 2.33.
36. Ibid. 2.35. Translation, H.M. Hubbell - Defensor autem primum, si poterit, debebit vitam eius qui insimulabitur, quam honestissimam demonstrare.
37. Garnsey, Social Status, p. 210.
38. Dig. 22.5.3; vid. also Garnsey, Social Status, p. 212.
39. Noctes Atticae xiv,ii,21.
40. Dig. 48.2.16.: causa scilicet cognita aestimatis accusatorum personis vel de dignitate, vel ex eo quod interest, vel aetate vel moribus vel alia iusta de causa.
41. Garnsey, Social Status, p. 212; and see chapter 3 for the discussion on moral virtue and the importance of the persona.
42. Judge, E.A., 'St. Paul and Classical Society', Jahrbuch für Antike und Christentum, 15, 1972, p.25.

43. Pliny, Epistulae [Ep.] 9.5., Translation, P. Garnsey, 'Legal Privileges' p.144-5; *Egregie facis (inquiero enim, et perseverare) quod iustitiam tuam provincialibus multa humanitate commendas; cuius praecipua pars est honestissimum quemque complecti atque ita a minoribus anari ut simul a principibus diligere. Plerique autem, dum verentur, ne gratiae potentium nimium impertire videantur, sinisteritatis atque etiam malignitatis famam consequuntur. A quo vitio tu longe recessisti (scio), sed temperare mihi non possum, quo minus laudem similis monenti, quod eum modum tenes, ut discrimina ordinum dignitatumque custodias; quae si confusa, turbata, permixta sunt, nihil est ipsa aequalitate inaequalius. Vale.*

44. The precise nature of the authority (*imperium*) of the various Roman officials, who were either appointed by the Senate or personally selected by the Emperor, over their specific provinces is unclear. *Vid.* Sherwin-White, A.N., Rom. Soc., chapter 1; Mommsen, T., Römische Strafrecht [Röm. Straf.] (reprinted, München: C.H. Beck'sche Verlagsbuchhandlung (O. Beck), 1982. See especially 'Die Magistratische coercitio' p.35ff.; Jones, A.H.M., 'Imperial and Senatorial Jurisdiction in the Early Principate' *Historia*, 3, 1954-5, pp.464-488; Millar, F., 'The Development of Jurisdiction by Imperial Procurators; Further Evidence', *Historia* 14, 1965, pp.362-367; *ibid.* 'The Emperor, The Senate and The Provinces' ['Emperor, Senate, Provinces'] *JRS* 56, 1966, pp.156-166; Garnsey, P., 'The Criminal Jurisdiction of Governors' *JRS* 58, 1968, pp.51-59; Haenchen, *Acts*, p.634 n.4; Kunkel, W., 'Magistratische Gewalt und Senatsherrschaft' *ANRW*, I, 2, pp.3-22. The evidence presented by these scholars seem to suggest that all such official appointments carried with them a wide-ranging authority. The priority in Rome concerned the imposition of law and order and the collection of taxes. In legal matters, "few bounds were set to the free exercise of their *imperium*" (Sherwin-White, Rom. Soc. p.2).

45. Sherwin-White, 'Roman Citizenship', ANRW I, 2 p.54.

46. Garnsey, Social Status. pp.279-80.

47. For a short discussion of the scholarly discussion of *provocatio* see appendix 2.

48. Mommsen, T., 'Die Rechtsverhältnisse des Apostels Paulus' *ZNW* 2, 1901, pp.81-96; *ibid.* Römisches Staatsrecht³ [Röm. Staat.] 3 vols., in Marquardt, J. and Mommsen, T., Handbuch Der Römischen Altertümer³ 5 vols. (Graz: Akademische Druck-u. Verlagsanstalt, 1969; *ibid.*, Röm. Straf.; Kunkel, W., Untersuchungen zur Entwicklung des römischen Kriminalverfahrens in vorsullanischer Zeit [Untersuchungen] (München: Verlag der Bayerischen Akademie der Wissenschaften, 1962), esp. chapter 13; Jones, A.H.M., 'I Appeal'; Sherwin-White, A.N., Rom. Soc. pp.48-70; Garnsey, P., 'The *Lex Julia* and Appeal Under the Empire' [The *Lex Julia*], *JRS* 56, 1966, pp.167-189, esp. pp.183ff.; Lintott, A.W., 'Provocatio From the Struggle of the Orders to the Principate' ['Provocatio'] ANRW I, 2, pp.226-267; Cadbury, H.J., 'Roman Law and the Trial of Paul' *Reg. v.*, pp.297-333; Long, W.R., 'The Trial of Paul', pp.205ff.

49. *Vid.* note 44.

50. Sherwin-White, Rom. Soc., pp.1. We have chosen to follow Sherwin-White's discussion at this point because, despite our disagreement with him concerning the issue of *provocatio*, his presentation of the material concerning the authority of provincial magistrates is clear and, for the most part, a statement of what is agreed.

51. *Ibid.* p.2.

52. Anderson, J.G.C., 'Augustan Edicts From Cyrene' *JRS* 17, 1927, pp.33-48; Ehrenberg, V., and Jones, A.H.M., Documents Illustrating the Reigns of Augustus and Tiberius² [Docs. Aug. Tib.] (Oxford: At the Clarendon Press, 1955) p.139 n.311; *vid.* Sherwin-White, *Rom. Soc.*, pp.15-16.
53. Sherwin-White, *Rom. Soc.*, p.2.
54. *Ibid.*, p.2; Lintott, 'Provocatio' p.252; Millar, 'Emperor, Senate, Provinces', pp.51-3.
55. The development of the *quaestiones* from an *ad hoc* commission under a magistrate appointed by the Senate, or the people, (e.g. the Bacchanalia, Livy, 38.18.2-6; Silva Sala murders, Cicero, *Brutus* 85f) to a standing commission (*quaestio perpetua*) is complicated and does not need a full discussion here. At first a civil court the *quaestiones* developed into a criminal court with jurors drawn from the wealthiest equestrians. Sulla, however, entrusted all the *quaestiones* to Senators. L. Cotta (70 B.C.E.) created three jury panels (*decuriae*). Unfortunately there is little evidence to suggest their operation. The epigraphic *Lex Acilia* (121 B.C.E.) and the *Lex Bantina* (75 B.C.E.) made appeals against the verdict, sentence and execution of a *quaestio perpetua* impossible. *Vid.* Mommsen, T., *Röm. Straf.* p. 203; Kunkel, *Untersuchungen*, pp.14, 61-64; Jolowicz, H.F. & Nicholas, B., Historical Introduction to the Study of Roman Law², (Cambridge: At the University Press, 1972), [Historical Intro.] p.49, 329f.
56. Cicero, *De. re. pub.* ii,31,54.
57. Long, W., 'The Trial of Paul' p.107.
58. Cicero, *De. re. pub.* ii,31,54., trans. C.W. Keyes, Loeb Classical Library; idemque, in quo fuit Publicola maxime, legem ad populum tulit eam, quae centuriatis comitiis prima lata est, ne quis magistratus civem Romanum adversus provocationem necaret neve verberaret. Provocationem autem etiam a regibus fuisse declarant pontificii libri, significant nostri etiam augurales, itemque ab omni iudicio poenaeque provocari licere indicant duodecim tabulae conpluribus legibus.
59. Livy x,9, trans. B.O. Foster, Loeb Classical Library; Eodem anno M. Valerius consul de provocatione legem tulit diligentius sanctam. Tertio ea tum post reges exactos lata est, semper a familia eadem. Causam renovandae saepius haud aliam fuisse reor quam quod plus paucorum opes quam libertas plebis poterat. Porcia tamen lex sola pro tergo civium lata videtur, quod gravi poena, si quis verberasset necassetve civem Romanum, sanxit; Valeria lex cum eum qui provocasset virgis caedi securique necari vetuisset, si quis adversus ea fecisset, nihil ultra quam 'improbe factum' adiecit. Id, qui tum pudor hominum erat, visum, credo, vinculum satis validum legis; nunc vix serio ita minetur quisquam.
60. Jolowicz, H.F. & Nicholas, B., Historical Intro. p.307.
61. For a drawing or photograph and discussion of the coin see, Hill, G.F., Historical Roman Coins: From the Earliest Times to the Reign of Augustus (London: Constable & Co., 1909) p.67 #36, plate 10; Sydenham, E.A., The Coinage of the Roman Republic (London: Spinks & Sons, 1952), p.78; Cranford, M.H., Roman Republican Coins, 2 vols., (Cambridge: At the University Press, 1974) vol.1 pp.313-4; For an enlargement of the coin and, hence, the best reference see Kent, J.P.C., Roman Coins (London: Thames and Hudson, 1978) plate xii, #41, comments of p.268, col. 1. For comment alone see Mommsen, *Röm. Straf.* p.31 n.3; Bleicken, J. 'Provocatio' Pauly, *RE* 23, p.2448ff.; Lintott, 'Provocatio', p.250; Long,

'The Trial of Paul', pp.109-110, Bleicken, *op.cit.*, contrary to the consensus believes that the military figure is protecting the Roman citizen against the punishment as opposed to ordering the punishment; Keaveney, A., '*Civis Romanus Sum*' *Critica Storica* 21, 1984, pp.345-372, Keaveney believes that the coin depicts a law which protected Roman citizens from being drafted against their will into the Roman army! Dates for the coin vary from 115 B.C.E. (Kent) to 104 B.C.E. (Long).

62. *Dig.* 48.6.7.: Lege Julia de vi publica tenetur, qui, cum imperium potestatemve haberet, civem Romanum adversus provocationem necaverit verberaverit iusseritve quid fieri aut quid in collum iniecerit ut torqueatur, item quod ad legatos oratores comitesve attinebit, si quis eorum pulsasse et sive iniuriam fecisse arguetur.

63. *Ibid.* 48.6.8.: Lege Julia de vi publica cavetur, ne quis reum vinciat impediatur, quo minus Romae intra certum tempus adsit.

64. Sherwin-White, *Rom.Soc.*, p.16.

65. Cicero, *In verrem* [*Verr.*] ii, 149-151; *vid.* Keaveney, '*civis Romanus Sum*', pp.350-352.

66. *Verr.*, ii, 5, 170.

67. Greenridge, A.H.J., *The Legal Procedure of Cicero's Time* (Oxford: Clarendon Press, 1901) p.413.

68. Cadbury, *Reg.* v, p.314; Jolowicz, H.F. and Nicholas, B. *Historical Intro.* p.307.

69. Jones, 'I Appeal' p.54; Strachan-Davidson, J.L. *Problems of Roman Criminal Law* 2 vols. (Oxford: At the Clarendon Press, 1912) pp.118-119.

70. Jones, 'I Appeal', p.53; Lintott, 'Provocatio' p.251.

71. Mattingly, H.B., 'The Extortion Law of the *Tabula Bembina*', *IRS* 60, 1970, pp.154-168, p.160.; and, 'The Two Republican Laws of the *Tabula Bembina*', *IRS* 59, 1969 pp.129-143; Lintott, *op.cit.* p.251. The fragments of the inscription associated with Cardinal Bembo was identified by Mommsen as the *Lex Acilia Repetundarum*. *Vid.* Badian, E., '*Lex Acilia Repetundarum*', *American Journal of Philology* 75, 1954, pp.374-384.

72. Lintott, 'Provocatio' p.251.

73. Plutarch, *Tiberius and C. Gracchus* 9; Lintott, 'Provocatio' p.251.

74. Lintott, *Ibid.* p.251.

75. Sallust, *The War with Jugurtha* [*Jug.*], 69.4 mentions only that Turpilius was a Latin citizen and a *praefectus cohortis*; Appian, *Roman Histories. Numidian Affairs*, 3 on the other hand, is quite specific, Turpilius was a Roman citizen; Plutarch, *Marius*, 8.1-2 believed that Turpilius was a *praefectus fabrum* which suggests Roman citizenship, as that post during the Republic was a command of the armoured soldiers, *vid.* Brunt, P.A., Review of Kunkel's *Untersuchungen*, *Tijdschrift Voor Rechtsgeschiedenis* 32, 1964, pp.440-449, esp. p.448 contra Jones, 'I Appeal' pp.53-4; Keaveney, '*Civis Romanus Sum*' p.363 wonders if T. Turpilius Silanus really was Roman citizen. Also see Lintott, 'Provocatio', p.251 who accepts Turpilius' Roman citizenship, and Brunt, P.A., 'Italian Aims at the Time of the Social War', *IRS* 55, 1965, p.105.

76. Sallust, Jug. 69.3.

77. Plutarch, Marius 8.

78. Lintott, 'Provocatio' p.252.

79. Vid. n.60, above. Vid. McDonald, A.H., 'Rome and Italian Confederation (200-186 B.C.)', JRS 34, 1944, pp.11-33. McDonald's interpretation agrees with the consensus yet his article shows just how conjectural the accepted position is. He refers to Cicero, Pro. Rab. Perd. 4.12. It is true that Cicero mentions the lex Porcia and G. Rabirius appeals to the people but a) G. Rabirius is a senator and his trial is in Rome, b) Cicero is appealing to what, he hopes, is the dormant Republican elitist sensitivity in his audience, the Senate and c) the entire case is really concerned with Senatorial privilege over democratic opposition led by Julius Caesar. Yet Greenridge in his article 'The Porcian Coins and the Porcian Law' Classical Review 11, 1897, pp.434-440 esp.440 suggested that the coin depicted a scene within the city of Rome of an unwilling recruit crying out against his conscription into the Roman legion. For further discussion of Greenridge's interpretation see Keaveney, 'Civis Romanus Sum' p.370 who disagrees with the consensus opinion and finds either Bleicken's or Greenridge's interpretations convincing. Keaveney does not finally decide between the two.

80. Sherwin-White, Rom. Soc. p.60; vid. Ehrenberg and Jones Docs Aug. and Tib., p.139, #311, ii, 42-47.

81. Josephus, B.J. ii.305-308.

82. Jones, 'I Appeal' p.56.

83. Josephus, B.J., ii.308.

84. Suetonius, Galba 9.1.

85. Dio, 64.2.3.

86. Jones, 'I Appeal' p.57; Sherwin-White, Rom. Soc., p.61.

87. Jolowicz & Nicholas, Historical Intro. p.305 ff., 397ff. provide a description of the development of the Roman criminal system from the time of the Republic through the time of the Empire. Jolowicz and Nicholas believe that Imperial governors were not constrained by the older system of the *quaestiones perpetuae*.

88. Sherwin-White, Rom. Soc. p.61.

89. Jolowicz & Nicholas, Historical Intro. p.397-400.

90. Garnsey, 'The *Lex Julia*' p.175.

91. Kunkel, W., An Introduction To Roman Legal and Constitutional History, trans. J.M. Kelly, (Oxford: At the Clarendon Press, 1966), p.67.

92. Vid. 'Tribuni Militum', The Oxford Classical Dictionary² [OCD] (Oxford: At the Clarendon Press, 1970) pp.1091-1092.

93. Marshall, I.H., Acts, p.274; Bruce, F.F. Acts, p.322.

94. Haenchen, Acts, p.504.

95. Cicero, Verr. II, lxx, 168.

96. Marshall, Acts, p.271, "This was doubtless one of the three instances of being beaten to which Paul referred in his catalogue of hardships"; Hodgson, R., 'Paul the Apostle and First Century Tribulation Lists', ZNW 74, 1983, pp.59-80; Hering, J., La Seconde Epitre de Saint Paul aux Corinthiens (CNT) (Paris: De Jachaux & Niestle, 1958) p.89; Lietzmann, H., An Die Korinther I-II (HZNT) (Tübingen: Verlag von JCB Mohr (P. Siebeck), 1923), p.149; Plummer, A., A Critical and Exegetical Commentary on the 2nd Epistle of St. Paul to the Corinthians (ICC) [2 Corinthians] (Edinburgh: T. & T. Clark, 1915) p.324. It is interesting to note that I Clement 5.6 notes 7 imprisonments (ἐντάξις ὁκοῦν πορείας), 1 exile (ἐργασθεῖς), and 1 stoning (λίθαίνεσθαι).

97. Vid. Conzelmann, H., A Commentary on the First Epistle to the Corinthians (Hermeneia), [Corinthians] trans. J.W. Leitch, (Philadelphia: Fortress Press, 1975), pp. 277-8; Barrett, C.K., The First Epistle to the Corinthians² [Corinthians] (London: Adam and Charles Black, 1971) p.366. Barrett gives three reasons why "fighting with beasts" should not be taken literally; 1) Paul would have lost his Roman citizenship, which according to Acts he did not do, 2) 2 Cor. 11:23ff makes no mention of it, 3) "...it seems likely that Luke, if he had heard of so dramatic event, would have made use of it in Acts."; Orr, W.F. & Walther, J.A., I Corinthians (The Anchor Bible) (New York: Doubleday and Co., 1982) p.338, Paul is "using vigorous symbolic language". Yet see The Acts of Paul, Hennecke, E., New Testament Apocrypha, ed. and trans. R. McL. Wilson, (London: Lutterworth Press, 1965), where Paul is thrown to the beasts only to be confronted by the Lion whom he had baptised! Hypolytus, Commentary on Daniel iii, 29 (3rd century) accepted the tradition in the Acts of Paul.

98. Dig. 28.1.8.4- Hi vero qui ad ferrum aut ad bestias aut in metallum damnantur, libertatem perdunt bonaque eorum publicantur; unde apparet anittere eos testamenti factionem.; Barrett, C.K., Corinthians p.366; Conzelmann, H., Corinthians p.277.

99. Sherwin-White, Rom. Soc. p.74.

100. E.g. Rom. iii, p.201.

101. Plummer, 2 Corinthians p.324.

102. Sherwin-White, Rom. Soc. pp.71-75.

103. Ibid. p.71: Sententiae Pauli v.26.2 .

104. Sherwin-White, Rom. Soc. p.74.

105. Josephus, B.J. ii,13,7.

106. Dio 60.24.4 - Dio makes mention of Rhodes which was deprived of its freedom by Claudius for exceeding its powers over Roman citizens, Dio 54.7.6; 57.24.6; Suetonius Liberius, trans. R. Graves, Penguin Classics 37.3 - Likewise, Cyzicus was twice punished for neglecting the cult of the deified Augustus and for violence against Roman citizens. Rhodes and Cyzicus were free cities and not under the authority of a Roman magistrate.

107. Sherwin-White, Rom. Soc. p.76.

108. Sherwin-White, 'The Roman Citizenship' ANRW I, 2 p.55.
109. M. Dibelius, Studies, p.199; Haenchen, Acts, pp.500-501.
110. Dig. xlviii.19.10.28.
111. Cicero, Pro Rabirio 4.12 - Cicero claims that the rods (*virgae*) have been replaced by the harsher scourge (*flagella*).

Chapter 6 - Roman Law and Acts Part 2:

Paul's Appeal and Journey to Rome

The case against Paul seems straightforward as he comes before Festus. Luke reports that the Jews from Jerusalem have accused Paul of "many serious charges" (25:7 - πολλὰ καὶ βαρέα αἰτιώματα). Luke, at this juncture, does not specify the charges although Paul, in verse 8, denies the unstated accusations that he has broken the law of the Jews, brought a non-Jew into the Temple, or preached against Caesar. That Paul had broken the law of Moses had been raised previously even by the Jewish-Christians in Jerusalem (21:21). Furthermore, the allegation that Paul had brought a Gentile into the Temple led to the uproar by the Jews which, in turn, brought out the Roman soldiers who then arrested Paul (21:33). Although serious charges, breaking the religious laws of the Jews did not fall under the legal competence of the Roman authorities. This is clearly expressed by Gallio's response to the Jews of Corinth (18:14f.) and Festus' ignorance of religious matters (25:18,20) which is, apparently, the reason he called upon Agrippa's expertise (25:23ff.). The more serious charge against Paul, which would be of great interest to the Roman authorities, was the matter of riotous behaviour caused by Paul's preaching and the potential for political rebellion. Paul is, after all, called a "pestilent fellow" (ἄνδρα λοιμὸν), an "agitator" (κινεῶν τὰς στάσεις) and a "ringleader" (πρωτοστάτην) of the sect of the Nazarenes" (24:5). Potential political insurrection and provincial unrest were causes of considerable concern to Rome, particularly in Judaea in the middle decades of the 1st century of the common era. It is, therefore, interesting to note that Luke

stressed the religious charges and all but ignored the political accusations against Paul during the formal trial. At the present moment, it is not our concern to discuss the charges against Paul in full. We shall return to this matter later in this chapter. Our present interest is Festus' question to Paul, made as a favour to the Jews, that the trial be moved to Jerusalem. It is at this point that the narrative becomes particularly interesting to our study and, at the same time, particularly confusing. Paul declares:

εἰ μὲν οὖν ἄδικῶ καὶ ἄξιον θανάτου πέπραχά τι, οὐ παραιτοῦμαι τὸ ἀποθανεῖν· εἰ δὲ οὐδέν ἐστίν ὧν οὗτοι κατηγοροῦσίν μου, οὐδεὶς με δύναται αὐτοῖς χάρισθαι· Καίσαρα ἐπικαλοῦμαι. (25:11)

It is accepted that Paul, as recorded by Luke, was worried that Festus would be influenced by Jewish pressure if the trial were moved to Jerusalem. Hence, Paul appealed to the court of the Emperor in Rome. Scholars generally agree that, since Paul was a Roman citizen, Festus had no choice, having checked the details with his *consilium*, but to grant his appeal and send him to the capital, even though Paul is declared innocent on three occasions. Since the evidence against Paul confused Festus, he called in King Agrippa as an assessor to help him draft an explanation (*libellus*) of the charges which would accompany Paul to Rome¹.

At first sight, the scene does not appear to be problematic. However, when one looks closer at the legal issues involved and considers how Luke's audience would have perceived what was presented, it is probable that Luke had a particular intention in mind when he included and shaped this account of Paul's trial before Festus.

In order to press our claim two questions must be raised: 1) did Luke accurately report the details of the "appeal" and 2) how would the

readers of the first century have understood the narrative? We contend that a proper understanding of the legal historical milieu will help uncover the way in which Luke shaped the narrative.

In the preceding chapter we have shown that in a number of cases provincial authorities ignored appeals of Roman citizens and felt competent to judge, sentence and execute. Therefore, based on the evidence presented, we have concluded that at least some provincial governors, and even a few magistrates, seemed to assume police powers and legal jurisdiction over Roman citizens not specifically granted to them in the various laws of the Empire. Furthermore, we have argued that only those of wealth, authority and prestige could assume the legal privileges that were, at least on paper, granted to all Roman citizens. Throughout our study we have contended that Luke was aware of, and shaped his narrative to emphasize, the fundamental importance of social status for the Graeco-Roman world of the first century. Hence, as we investigate Luke's account of Paul's "appeal" to Caesar and the details of his treatment at the hands of the Romans, the relationship of social status and legal privileges must be kept in mind. We believe that as in chapters 16 and 22 as well as in chapter 25 and to the end of the narrative, Luke has shaped the material he received from his sources in order to give prominence to Paul's authority, his control over the situation, and his exceptional social standing.

Paul's "Appeal" in Acts: Some Preliminary Considerations

The issues raised in Acts which are related to the development and efficacy of the right of the Roman citizen to appeal against the decision of a provincial magistrate are complicated and many have

attempted to explain them. From the magisterial work of T. Mommsen² to the more recent works of A.N. Sherwin-White³, P. Garnsey⁴, A. Lintott⁵, F. Millar⁶ and W.R. Long⁷, the conclusions reached have been disparate due to the confusing nature of the primary evidence and the problematic issue of the historicity of the account in Acts. As we stated at the outset of the preceding chapter, there is no sure criterion which would help judge the accuracy of Luke's report, for it is an unique example of its kind. Therefore, the reference to Paul's "appeal" to Nero's tribunal (Acts 25:11 "Καίσαρα ἐπικαλοῦμαι"), which has often been explained simply in terms of Paul's status as a Roman citizen and as a case study of the *provocatio* procedure in the first century, raises more questions than it answers.

For example, some questions raised by the account in Acts are as follows: since Paul's "appeal" was not expressed in response to a sentence, can it be said that Paul's declaration was a formal appeal? What seems to be the important issue is the matter of rejecting the location of the court and demanding a new venue for the court of first instance. In the description in Acts, Paul rejected Festus' intention to move the court to Jerusalem and declares his desire to be tried in Rome by the Emperor. Did every citizen have the same right to this change of court? Would the Governor have been obliged to accept the demands of the one who protested and send the one who "appealed" to Rome? Did the Governor have the authority to judge, condemn, and execute an individual charged with a serious crime, or would he have been expected to send the case of a Roman citizen directly to the capital? If the Governor was convinced of the defendant's innocence, could he have acquitted the individual? Could the Governor have

acquitted the defendant even after an appeal? Who paid for the appeal and journey to Rome? Did one's social status have anything to do with any of these decisions? What actually happened to Paul⁸? All of these questions are complicated and have been the source of much debate. Due to the limited nature of the sources, we can hardly presume to answer all of the questions just raised. However, what we hope to do in this chapter is to seek to understand the account of Paul's appeal and his subsequent journey in terms of our contention that only those of high social status would have received many of the legal privileges that, *de jure*, were given to all citizens of Rome.

In the last fifty years most New Testament discussions of the legal issues contained in Acts have depended upon the works of H.J. Cadbury⁹ and A.N. Sherwin-White¹⁰ who, in turn, owe much to the earlier work of T. Mommsen¹¹. Cadbury's study was written in 1933 as part of the massive and still excellent commentary edited by F. Jackson and K. Lake. Sherwin-White's series of Sarum lectures were published in 1963. Although both studies are old they still, as evidenced by recent articles and commentaries, hold their place of influence¹².

Cadbury was skeptical that Luke had accurately reported the details of Paul's trial and "appeal". Cadbury wondered if Festus would have been obliged to accept Paul's appeal if, in fact, Paul actually appealed. A.N. Sherwin-White, on the other hand, argued that Luke's account, for the most part, presented a highly accurate report of the legal procedure of the first century and showed detailed knowledge of specific legal intricacies. To Sherwin-White, Paul relied upon the right which was given to all citizens regardless of their social status and Festus was merely doing his duty. While Sherwin-White's expertise

in matters of Roman legal history is duly recognized, Cadbury's honest skepticism should not be overlooked. Furthermore, although the study of Sherwin-White has received much acclaim from conservative New Testament scholars, it has failed to convince many Roman historians and critical students of the New Testament.

Of particular importance are the comments of A.H.M. Jones, whose earlier studies, which had attempted to explain Paul's appeal in terms of a reconstructed Roman legal procedure, greatly influenced Sherwin-White. In a posthumously published work, Jones' earlier acceptance of the Lukan account had turned to skepticism. His conclusions are expressed in the following manner:

The only account we possess of a *provocatio*, that of Paul before Festus, is unfortunately very confused... and one is led to suspect that neither Paul nor his biographer understood the legal position¹³.

Today, most critical New Testament scholars would agree and therefore, offer little more than an acknowledgement of their confusion. For example, G. Schneider, in his recent commentary, does not offer detailed comments on the intricacies of Roman law, but in his summary of the evidence, he puts the issue in simple terms:

Die Erzählung enthält Probleme... Die Einzelheiten des Appellationsrechts der frühen Kaiserzeit sind auch heute noch nicht völlig klar¹⁴.

To offer just one more example of what is commonplace, the editors of the revision of Schürer's important work have recognized the unavailability of clear evidence on the whole process of appeal¹⁵. Hence, due to the problematic nature of the legal issues involved, most critical New Testament scholars have emphasized the rhetorical, literary and theological aspects of the narrative.

M. Dibelius contended that Luke was not concerned to offer the reader a full description of the events as he himself was limited by his source¹⁶. E. Haenchen believed that "this appeal to Caesar raises many problems." Yet he concludes that "...to the author the details of the juristic problems are completely irrelevant"¹⁷. To Haenchen, Luke has fashioned a "suspense laden narrative"¹⁸. G. Schille, likewise, believed that the importance of the scene lay not in the historical details but in the force of the narrative as a whole. He argued:

Das dies wieder mehr die schriftstellerische als die historische Logik ist, sollte deutlich sein¹⁹.

J. Roloff concurred and suggested that the point of the narrative was theological: Luke intended to show that Paul was loyal to Rome and had accepted Roman protection and, in so doing, had rejected Jerusalem and, by extension, Judaism. He writes:

Die Berufung an Rom ist ja im sinne des Lukas zugleich eine Berufung gegen Jerusalem²⁰.

General agreement exists among critical scholars that Luke was not interested in the minutiae of Roman legal procedure. Therefore, these scenes in Acts are studied with regard to their dramatic, literary and theological import. In other words, some scholars, while they recognize the dilemmas of this passage and the difficulties of the legal issues involved, dismiss the specific legal issues as unimportant and use their critical acumen merely to discuss the narrative.

We would agree with those commentators, like Haenchen, who believe that Luke constructed a narrative laden with suspense. Yet, we would disagree that Luke was insensitive to specific historical legal issues. For example, we believe that Luke was aware of the actual, social-historical relationship of social status to legal privilege which was

fundamental to the first century. In fact, we believe that a proper understanding of the social-historical expectations of the age will help uncover the proper way to understand Luke's presentation of the legal issues in the narrative.

Likewise, we are sympathetic to those, like Sherwin-White and P. Garnsey, who are concerned to fit the Lukan accounts into what is known of the Roman legal system of the first century. However, while Luke does provide a great deal of accurate historical evidence about the ethos of the first century world, we contend that he does not necessarily present actual historical details of the events of Paul's trials. In other words, Acts reflects the social consciousness of the Mediterranean society rather than records a precise report of Paul's legal encounters. For the most part, these legal historians are not sensitive to the questions of Lukan purpose or redaction. We would hope to take a middle course. Our intention is to identify the proper historical issues involved while, at the same time, being sensitive to the way Luke shaped his narrative.

H.B. Rackham, who often shows a perceptive insight to the literary and rhetorical issues that belie his generally conservative commentary, had this to say about Paul's appeal to Caesar:

The appeal to Caesar shows the vast strides Christianity has made. In thirty years it takes us from the Galilean company in the upper chamber to the imperial palace at Rome...to the highest tribunal in the Empire, Caesar²¹!

What Rackham is aware of is the sense of movement in Luke-Acts from rural Galilee to Imperial Rome and the social consequences of such a move. We believe that it was this sense of upward mobility and movement towards the centre of the Empire that Luke wanted to stress above all

else. It is to an investigation of the sources that we possess and a reconstruction of the events behind the accounts in Luke to which we shall now turn.

"Appeals" to the Emperor

Although we have expressed our skepticism that Roman law was uniformly administered throughout the empire and that it was more likely that those individuals of reputation and high status could assume the legal privileges, it would be incorrect to argue that accounts of appeals to the Emperor, found in the classical literature, were fictitious. Suetonius reports that Augustus referred appeals of cases involving citizens to the city praetor (*praetor i urbano*) and those of foreigners to ex-consuls²². According to Dio, Tiberius always referred appeals to Marcus Silanus²³. Gaius, as described by Suetonius, allowed magistrates unappealable power (*sine sui appellatione concessit*), but Dio goes on to remark that Caligula took on many appeals from the Senate²⁴. Claudius was known for his involvement in the court system and for not always following the letter of the law²⁵. Nero, to whom Paul's "appeal" was made, seems to have been, at first, as conscientious as Claudius in matters of legal hearings and appeals, but his interest soon all but disappeared²⁶. Emperors throughout this period also heard appeals of delegations from the provinces, of which the Jewish delegation from Alexandria is perhaps the best known²⁷. Yet as W. Kunkel remarks:

Although many emperors devoted a great deal of time to jurisdiction still at no stage can more than a small fraction of all cases have come before their court, and we may assume that, when they did, it was because they were of special legal, social, or political significance. In particular, criminal prosecutions of senators and high equestrian officials were regularly brought

before the emperor after the disappearance of the Senate's own jurisdiction²⁸.

It appears certain, as Kunkel implies, that only those who were of high social status could assume to be heard by Caesar in Rome. Kunkel's summary is hardly controversial but few studying the case of Paul in Acts 25 appear to keep this fact in mind. It is usually assumed that Paul's appeal must have been heeded simply because he was a Roman citizen. We would argue that the evidence used to support this claim simply cannot command the confidence that so many scholars want to place upon it.

Paul's Appeal: A Case of *Provocatio* or *Relectio*?

A full discussion of the history of *provocatio* would be beyond the scope of this dissertation. This chapter is specifically interested in how the various laws of the Roman Empire favoured individuals of high social status. However, since so many scholars interpret Paul's "appeal" in terms of the *provocatio* procedure, as recorded in the *lex Julia*, a few comments are in order. Sherwin-White, representing traditional scholarship from the time of T. Mommsen's famous work, has argued that the description of the events of Paul's appeal in Acts was not only an example of *provocatio* in the first century but, was also "sufficiently accurate in all its details"²⁹. More recently, however, Roman legal historians have begun to re-evaluate the evidence.

The strength of the recent re-evaluation depends upon the fact that, according to the account in Acts, Paul's "appeal" to Caesar was not made after a sentence handed down by Festus, nor was it declared in response to imminent punishment. Rather, Paul's declaration was expressed in reaction to Festus' proposal to move the hearing to

Jerusalem³⁰. Sherwin-White, among others, has attempted to circumvent this difficulty by suggesting that the first century was a period of transition for Roman law. Accepted legal procedure from the time of the Republic, e.g. *provocatio ad populum*, was undergoing significant development and transition. Therefore, to Sherwin-White, Paul's "appeal" was an example of a first century form of *provocatio* that allowed a citizen to appeal before sentence³¹. This early first century *provocatio* then became obsolete in the second century when, according to Sherwin-White, provincial governors were required to send Roman citizens to Rome. Furthermore, at some time in the same century, *provocatio*, which had been recognized since the beginning of the Republic, was subsumed under the formal *appellatio* procedure.

It is true that potentially, *provocatio* and *appellatio* were two ways of achieving a court of second instance. *Provocatio*, as described in the previous chapter, was an appeal against the *coercitio* of the magistrate which would, if accepted by the magistrate, lead to a hearing before a public court. *Appellatio*, known from the Republic, was an appeal used in civil cases made against the judgement of a lower to a higher magistrate. Yet, from the time of Augustus, *provocatio* and *appellatio* became almost synonymous and an exact distinction between the two, as Sherwin-White would require, is extremely difficult to make³². Furthermore, it is not correct simply to state that *provocatio* became obsolete because the procedure was still recognized in the Digest. Regardless of the similarities, distinctions and the development of the various appeal procedures in the first century, the fact remains that in the case of Paul, as described by Luke, Paul neither appealed against Festus' abuse of his *coercitio* (*provocatio*) nor did he appeal against a

formal sentence of the court (*appellatio*).

While Sherwin-White's reconstruction is ingenious and many have been persuaded by it, it is problematic on several counts. Primarily, Sherwin-White offers no evidence, except this account in Acts, that such a first century *provocatio*, as distinct from the Republican *provocatio*, ever, in fact, existed. Hence, despite Sherwin-White's recognized expertise, on this point his argument is entirely circular. Based upon this one example from Acts, Sherwin-White draws together evidence from the first century B.C. to the second century A.D.. He has, in fact, constructed an *ad hoc* auxiliary hypothesis which seeks to explain the evidence from the evidence itself. In addition, there is not enough documentation to prove that provincial governors were required, in all cases, to send Roman citizens to Rome even in the second century. We have already seen that provincial governors had a wide-ranging jurisdiction throughout this period, either legal or assumed. While governors could choose to send individuals to Rome, and the fact of Roman citizenship might be an influential factor in the decision, as Pliny did to the Christians of Bithynia, there is nothing to prove that the governor was obliged to do so.

Moreover, there is nothing explicit in the wording of the laws concerned with *provocatio* that we have had reason to consider which would allow a citizen the right to halt a legitimate trial in mid-course and choose another venue. In his concern to reconcile the account in Acts with his reconstruction of Roman law in the first century, Sherwin-White contended, based on the obscure wording of the *lex Julia* as recorded in the *Sententiae Pauli*, that the law prohibited a magistrate from holding a formal trial in light of *provocatio*³³. As with his other

contention mentioned above, most scholars are not convinced³⁴. In short, there seems to be no reason to accept Sherwin-White's reconstruction. A defendant could appeal against the decision of the court, and an accused might protect himself from the *coercitio* of the magistrate, but there is nothing in the *lex Valeria*, the *lex Porcia*, or, the *lex Julia* that stated that governors were prohibited from even holding a trial.

Finally, in response to Sherwin-White's confidence, the primary evidence from the provinces offers no example of *provocatio* leading to a court of second instance. W. Kunkel, who provided the first full and effective attack on the positions of T. Mommsen, was merely stating the facts when he wrote:

In auffallendem Gegensatz zur Fülle dieser Nachrichten über die gesetzlichen Grundlagen der Provokation steht die Tatsache, daß wir für ihre Anwendung gegenüber einer Kapitalen Verurteilung überhaupt kein gültiges Zeugnis besitzen.³⁵

We suspect that, in the light of the lack of primary evidence that this ever happened and due to the absence of terminology in the laws themselves which would specify such extensive protection, scholars have placed disproportionate weight upon this evidence. In conclusion, our suspicions that the account in Acts 25 cannot easily be explained in light of the laws concerned with *provocatio* is not unfounded. Yet, if Paul's "appeal", as reported by Luke, was neither a formal "appeal" against the *coercitio* of Festus nor was an "appeal" against a sentence, what was it?

P. Garnsey, in one of his earlier articles, has argued that St. Paul's case, as well as the famous examples of the Bithynian Christians of Pliny, the Christians at Lyons described by Eusebius, and the not so

well known instances of Trebonius Rufinus, Claudius Ariston, and others, belong to the class of 'τὰ ἀναπόμπιμα' (a case which was referred to higher or lower jurisdictions not because of *provocatio* or *appellatio*) rather than of 'τὰ ἐφέσιμα' (a case in which the accused formally appealed a verdict and was given a court of second instance)³⁶. Garnsey's distinction is an important one when considering the account in Acts. However, a further distinction - one that Garnsey himself does not make explicit - must be made between the ἀναπομπίματα which are identified. The Christians of Bithynia and Lyons had no choice in the matter of what happened to them. However, in the cases of Paul, Trebonius Rufinus, Claudius Ariston, and others who are sent to Rome, the transfer of the case is initiated by the individual, not the governor. As we will see, those cases where the accused initiates the procedure involve individuals of high status. As we have stated in a number of places above, Roman citizenship could be a determining factor in how one was tried and punished but, if no appeal was forthcoming, the Governor had a great deal of freedom. The Governor could choose to send individuals to Rome, but the evidence does not suggest that he was obliged to. We will have cause to return to this issue below when we discuss Festus' response to Paul's appeal and attempt a reconstruction of what might have actually occurred to Paul.

In a later work, Garnsey presses his point even further and his comments are again illuminating. He writes:

There is no sign that any governor was ever persuaded by an ordinary provincial plaintiff to send a case out of his jurisdiction to a higher tribunal. As for provincial defendants of low status, when they did appear before the Emperor's judgment seat, it was hardly by choice, and hardly in circumstances favourable to them³⁷.

Pliny, as indicated in his letter to the Emperor Trajan, is

confronted by Christians of all classes and professions, some of whom are Roman citizens³⁸. Those who are Christian citizens Pliny prepares to send to Rome. More will be said concerning this important evidence below for we believe that the account in Pliny offers clues for a proper understanding of what might actually have happened to Paul. The point we want to make here is that in the account of Paul's "appeal" in Acts, Paul himself initiates the process of moving the hearing from Caesarea to Rome. In fact, Festus asks Paul: "θέλεις εἰς Ἱεροσόλυμα ἀναβὰς ἔχεῖν περὶ τούτων κριθῆναι ἐπ' ἐμοῦ;" - a very peculiar query. What is obvious is that Luke here, as in other places throughout the narrative, demonstrates that those who are in authority do not have complete control of the situation and so look to Paul for advice (c.f. Acts 27). Luke wishes to emphasize that the Roman magistrates, governors and soldiers recognize the authority of Paul. In comparison, Bithynian Christians had no such privilege. There is no indication in the letter of Pliny that he asked the Christian Roman citizens of Bithynia where they wanted to be tried. If a governor needed clarification, as Pliny did, the question was directed to the Emperor, not, as in the case of Festus, to the accused.

Likewise, Eusebius' account of the Christians of Lyons is interesting for the same reason³⁹. While it is true that Attalus was saved from the humiliation of being paraded around the amphitheatre and was rescued from being thrown to the beasts because of his Roman citizenship, an important detail is not often noted: Attalus was a "person of distinction" (καὶ γὰρ ἦν ὀνομαστός)⁴⁰. Because of his reputation, as well as his citizenship, Attalus was removed from the humiliating parade around the amphitheatre and saved, for the time

being, from execution. What is interesting about Eusebius' account is not only that a sensitivity to status is expressed but that the governor did not automatically send his Romans to the capital. Rather, he wrote to the Emperor for clarification. Nor, in the end, were the Christians sent to Rome for execution. The Christian Roman citizens were killed in front of Verus the governor. The point is that these Christians did not have any control over the matter of where the court was to be held and there is no question of an appeal. Furthermore, in both Bithynia and Lyons, the governors did not hesitate to hold a trial or pronounce guilt. Paul's "appeal", as described by Luke, does not easily correspond to either of the accounts of the Christians of Lyons or Bithynia.

Yet there is evidence to suggest that the privileges afforded to Roman citizens, and certain other individuals of special status, included more than just the right of *provocatio*. In the provinces, non-Roman citizens of free cities could either choose the laws and courts of the locality or select those courts administered by Roman officials⁴¹. Roman citizens, too, at least on paper, had choices. They were not, except in a few specific cases, subject to local laws and could choose to be heard by Roman authority.

There were other options allowed to the Roman citizen as well. P. Garnsey described the system of the *quaestiones perpetuae* at Rome in which the right of *relectio* was guaranteed by law⁴². A defendant was able to select a number of *iudices* for the *consilium* and reject others. The *lex Vatinia* (59 B.C.), according to Cicero, allowed a citizen the right to reject an entire *consilium*⁴³. Garnsey claimed that Roman citizens could also "reject" an entire court, although the evidence he

provides does not indicate a technical legal procedure for such an option. Garnsey contends that a whole court could be "rejected". He offers as evidence the case of a Senator, C. Antonius, who rejects the court after the decree had been issued⁴⁴. C. Antonius' request was refused and, it is reported, he was dismissed from the Senate. One can only wonder if an individual who was not of senatorial rank could have made such a request. Cicero sought a "*relectio*" for L. Mescinius Rufus from the governor of Achaia to Rome⁴⁵. However, Mescinius had been Cicero's quaestor and, hence, was of relatively high rank. Furthermore, having Cicero as a mentor presented quite an advantage. In addition, Mescinius was accused of a civil and not a criminal charge.

Dio records an instance where the accuser in a murder trial is concerned that he might lose his case because Germanicus, who was perceived as a popular advocate, might intimidate the jury⁴⁶. Therefore, the accuser wished to move the court so that the case could be tried before Augustus (παρὰ τῷ Αὐγούστῳ). It is difficult to discern from the account whether the accuser got his wish. In any event, he lost his case! It is important to note, in this instance, that the prosecuting attorney, not the defendant, applied for a new venue. It is also significant that both of these examples took place in the capital. It does not always follow that what occurred in Rome happened with equal effectiveness in the provinces.

It is no doubt true that a defendant might wish to be judged by the court of the Emperor, and it is also correct that Emperors might assume the legal jurisdiction that was usually reserved for the provincial governors. However, the fact remains that it was extremely difficult to bypass the governor. Individuals who wished to be heard by the Emperor

either had to present their request in person, have a powerful benefactor who had the ear of the Emperor present it for them, or have the Emperor find out about the case by some other means. For example, it seems as if Augustus inadvertently discovered a miscarriage of justice and so appointed Asinius Gallus to investigate the case against Euboulos and Tryphera of Cnidus. Tryphera, it seems, had escaped from the local authorities and had somehow made her request to Augustus⁴⁷. Cicero reports that Sthenius, who fled to Rome before the notorious Verres could bring a case against him, received a sympathetic hearing from the Senate⁴⁸. The envoy from Cyrene to Augustus complained of unfair courts⁴⁹. Yet none of these examples is an adequate parallel to Paul's "appeal" to Nero as reported in Acts.

In Cicero's oration against Verres, he describes the ignominious conduct of the governor in his handling of the case which Publius Scandilius brought before him⁵⁰. Verres, it seems, was illegally receiving a portion of the taxes gathered by one of the collectors, Apronius. P. Scandilius, who was an *eques Romanus*, sought to bring this injustice to court. However, his application for a court (*recuperatores*) or for a single judge (*judex*) to try the case, had to be presented to none other than Verres. Cicero reports that Verres should have appointed a court from the local Roman citizens but, in order to protect himself, Verres selected three of his cronies to be the *recuperatores*. P. Scandilius "rejects" the selection and Verres, in turn, rejects the rejection. P. Scandilius requests that the case be sent to Rome and Verres dismisses that appeal as well. Several points are of interest in this case. First, it must be noted that P. Scandilius was an equestrian. Although his requests were not granted,

it is not improper to assume that he would have had much more opportunity to press his claim than one of low status. Cicero implies as much⁵¹. Secondly, Scandilius "rejects" first Verres' selection of the *recuperatores* and then the entire court. Thirdly, although Verres' conduct showed no respect for either custom or Scandilius' status, and one can assume that a more scrupulous Governor (e.g. Pliny) would have complied with the demands, there is nothing to suggest that he was obliged to accept Scandilius' request. Fourthly, it is unclear to us why P. Scandilius did not simply travel to Rome himself and seek to have the case heard in the capital. A. Lintott, who was critical of Garnsey's evaluation, concluded:

If a trial laid down by either a magistrate or a governor was rejected it would have to have the support of the governor which was not automatic⁵².

One could argue that Festus would have been more like Pliny than Verres. Perhaps he was. However, Luke makes it clear that Festus was more concerned to please the Jews than he was to see that justice was done (25:9).

Pliny provides several excellent examples of the types of individuals who could have expected to have their cases heard by the Emperor. In his letter to Sempronius Rufus, Pliny presents the qualifications of the defendant, Trebonius Rufinus⁵³. Rufinus was one of the *duumviri* (or *duoviri*) in Gallia Norbonensis and Pliny describes him as "*vir egregius, nobisque amicus*". In addition, Pliny praises Rufinus for his ability to deliver his speech with "deliberate gravity, proper to a true Roman (*homo Romanus*) and a good citizen (*bonus civis*).". Rufinus was no rank-and-file Roman citizen!

Also of great importance is Pliny's letter, written to Cornelianus,

describing his experience serving on the Emperor's privy council⁵⁴. Pliny gives a report of the three cases that he heard. First was the case of Claudius Ariston. The details of the charges brought against Claudius are difficult to discern, but what is important is that Claudius Ariston is an individual of high social standing and reputation. Pliny writes that Ariston is, "*princeps Ephesiorum, homo munificus, et innoxie popularis*". What is particularly interesting is that Pliny does not identify Ariston as a Roman citizen. If Ariston were not a citizen, this account provides evidence that non-citizens could appear before the Emperor. However, for our purposes, what is important is Ariston's status. Also of interest in this account is the description of those individuals who brought the charges against Ariston. Pliny makes an explicit comparison: "*inde invidia et ab dissimillimis delator immissus. Itaque absolutus vindicatusque est.*"

The next day, according to Pliny, the Emperor heard the cases against Gallitta who was charged with adultery. The details of the charges are unimportant. What is important is that Gallitta's husband was a military tribune (*tribuno militum*) and was about to stand for office. Gallitta was condemned and given up to the punishment directed by the Julian law, which was a forfeiture of half her dowry and one-third of her property, and banishment to an island!

The third case concerned the will of Julius Tiro, part of which was genuine and part of which was forged. The two individuals charged with forgery were Sempronius Senecio, an *eques Romanus*, and Eurythmus, Caesar's freedman and procurator. Again, the defendants were not ordinary individuals.

What is common with all the individuals mentioned above is either

high social status and reputation, or personal ties to the Emperor. In light of these examples, Garnsey's conclusions are even more compelling:

It is risky to attempt a generalization on the basis of so few examples; but it would seem that if a governor transferred a case to Rome it was not because he lacked the competence to try it himself. Furthermore, the Rufus affair raises doubts as to whether a citizen could expect to win *relectio* if he were not a man of rank and influence himself, or a man with powerful supporters⁵⁵.

As the report stands in Acts, Paul's "appeal", whether it was a case of *provocatio*, *appellatio* or a case of *relectio* of either a *judex*, a *consillium*, or of an entire court, is more like those cases in which individuals of high status are involved than it is like the description of the Christians who appeared before Pliny. The *raison d'être* of the discussion of Paul's "appeal" in Acts seems to be to illustrate that Paul was a man of such status that he could have presumed to influence the governor's decision concerning where he was to be tried.

Another important issue concerns Festus' obligation in the matter of Paul's "appeal". Sherwin-White, despite the explicit words to the contrary, considered that Acts 25:25 (αὐτοῦ δὲ τούτου ἐπικαλεσαμένου τὸν Σεβαστὸν ἔκρινα πέμπειν), and 25:21 (τοῦ δὲ Παύλου ἐπικαλεσαμένου τηρηθῆναι αὐτὸν εἰς τὴν τοῦ Σεβαστοῦ διάγνωσιν, ἐκέλευσα τηρεῖσθαι αὐτὸν ἕως οὗ ἀναπέμψω αὐτὸν πρὸς Καίσαρα) should not be understood to imply that Festus had "discretion contrary to the *lex Julia*"⁵⁶, or could "pronounce an acquittal after the act of appeal"⁵⁷. Haenchen concurred, believing that once Paul's appeal had been made, the case was out of Festus' hands⁵⁸. F.F. Bruce also believed that Paul's appeal removed all other options from Festus who would have released him had Paul not called upon the court of Caesar⁵⁹. The problem is this: Festus' words themselves suggest a decision on his part. The words of Agrippa,

however, suggest the decision was out of his hands.

Agrippa's reply to Festus in 26:32 (ἀπολεύσθαι ἐδύνατο ὁ ἄνθρωπος οὗτος εἰ μὴ ἐπεκέχλητο Καίσαρα) might suggest that Agrippa recognized and supported Festus' legal obligation. However, it is important to note that the relationship between Roman governor and client king was not one of equals. Agrippa, concerned to stay in Rome's good graces, would hardly contradict the decision of the governor unless it was in his own self-interest. Furthermore, although as mentioned above, Sherwin-White believed that Festus would have been required to send Paul to Rome in the face of the "appeal", he reflects a note of caution by admitting that, even after the appeal, Festus would have had the power to acquit an innocent man. This admission is important. The words of Agrippa conflict with the legal evidence we have cited. The words of the Digest are explicit: "*Nemo qui condemnare potest, absolvere non potest*"⁶⁰. As the events are recorded by Luke, it appears as if Festus had no hesitation about holding the court of first instance and it seems as if Festus would have had little reluctance to pass the sentence that was appropriate for the crime. In other words, just as Pliny and the Roman governor at Lyons condemned those Christians who appeared before them, Festus could have condemned Paul. And if Festus could have condemned, he could, as the Digest makes plain, have acquitted!

Sherwin-White remarks concerning this specific point:

Equally when Agrippa remarked: 'this man could have been released if he had not appealed to Caesar', this does not mean that in strict law the governor could not pronounce an acquittal after the act of appeal. It is not a question of law, but of the relations between the emperor and his subordinates, and that of the element of non-constitutional power which the Romans called *auctoritas*, 'prestige', on which the supremacy of the Princeps so largely depended. No sensible man with hopes of promotion would dream of short-

circuiting the appeal to Caesar unless he had specific authority to do so⁶¹.

We believe that Sherwin-White is correct on several counts. His comment, that much of what passed for legal procedure was really a question of non-constitutional custom, should not be overlooked and we have attempted to emphasize the same point throughout our dissertation. Furthermore, we affirm that the Romans, in law as in all aspects of social relationships, recognized and placed significant importance upon *auctoritas*. Likewise, we have no reason to question that the relationship between Emperor and his subordinates needed to be carefully nurtured. However, as we have seen, those in authority were also impressed and influenced by the *auctoritas* of the defendant. Paul, as we have suggested throughout our study, was portrayed as a man of great prestige by Luke in Acts. Perhaps many a governor would have hesitated in such circumstances to "short-circuit" the appeal to Caesar. Yet, the failure to allow an appeal did nothing to hurt the career of Galba, as is shown above⁶².

We agree that Festus was only too glad to "wash his hands" of Paul's case. However, that Festus, as described by Luke, asked Paul for his preference of court (25:9) and then accepted his "appeal", shows that Festus was aware of Paul's social status and *auctoritas*. Far from a case study of *provocatio*, the description of Paul's appeal to Caesar rather highlights the Paul of Acts as a man deemed worthy to stand before Nero. Moreover, this scene attests to the fact that Paul is a man in control in the law court as well as on the high seas. In addition, Luke's account indicates that Festus was a man who gave into the mob, despite the innocence of the accused. We believe that Luke

shaped the account of Paul's "appeal" in order to make a status claim about Paul rather than to portray Roman authority as just and protective.

By way of summary, it is hardly conceivable that every Roman citizen, regardless of status, from throughout the provinces, could have expected their appeals to be heard or expect to influence the governor and be sent to Rome. The court system could hardly have withstood the strain. The logical conclusion is that only those who were of sufficient influence to gain the favour of the governor could expect any privileges. Through the last eight chapters of Acts, Paul is portrayed as just such a man of influence and this scene in which Paul "appeals", when properly understood, confirms such a judgement. Luke did not have eyewitness reports of the trial and either he, or his source, shaped the account in order to emphasize Paul's status and authority. In the conclusion of the section of an article concerned with Paul's appeal, Garnsey writes:

If, as I hold, Festus was under no obligation to grant Paul his request, then a complex of causes must be acknowledged to lie behind his decision. Festus' personality and attitudes, his uncertainty about the basis of the allegations against Paul, and the strain of Jewish pressure - as well as Paul's status - were probably relevant factors⁶³.

We would argue that, of all of these factors which would have influenced Festus, Luke has placed most importance on the last - Paul's status. Luke has not merely emphasized Paul's Roman status, but goes on to portray Paul as one who would be at ease with the elite of the Empire.

Travel Expenses

From our investigation of the evidence, it appears certain that only those individuals of high social status who also possessed wealth and

reputation could have depended upon legal privileges that were, at least on paper, granted to all Roman citizens. For the fact remains that, if an appeal to Rome was accepted, the one who appealed was responsible for all costs of the journey, housing and legal fees, for there is no evidence of any kind of legal aid⁶⁴. Ramsay, long ago, described the process of an appeal in this way:

An appeal to the supreme court could not be made by everybody that chose. Such an appeal had to be permitted and sent forward by the provincial governor; and only a serious case would be entertained. But the case of a very poor man is never esteemed as serious; and there is little doubt that the citizen's right of appeal to the Emperor was hedged in by fees and pledges. There is always one law for the rich man and another for the poor: at least, to this extent, that many claims can be successfully pushed by a rich man in which a poor man would have no chance of success⁶⁵.

The truth of Ramsay's insights has not been convincingly challenged, although few who have studied the account of Paul's appeal in Acts have appropriated them. Garnsey, writing 70 years after Ramsay, can only concur as he writes:

It was plainly more difficult and expensive for a provincial than for an Italian or a Roman, and a poor provincial than for a rich one, to bring his grievance in person to the Emperor⁶⁶.

Attempts to explain how Paul paid for his travel and appeal are varied. Ramsay, who believed that the Paul of Acts was the historical Paul, assumed that Paul was a man of high social standing who would have his family's wealth on which to rely⁶⁷. While we would commend Ramsay's description of the Paul of Acts, we have stressed throughout that the Lukan Paul is a stylized portrayal, not the historical Paul as Ramsay would argue. Cadbury, who disagreed with Ramsay, sought to explain the journey to Rome in terms of Paul's other journeys around the Mediterranean⁶⁸. In other words, Paul need not have had much wealth to

get to the capital. While under normal circumstances this might be true, the current circumstance were not normal.⁶⁹ J. Munck believed that Paul used the collection that he was bringing to the church in Jerusalem for his journey to Rome⁷⁰. Munck's conjecture is possible. Yet there is no mention of any collection for the church in Jerusalem at this point in Acts (although vid. 11:29-30), and one should not necessarily assume that the readers would have knowledge of it. Whatever the actual scenario behind the account in Acts, it is impossible to know what Paul's travel accommodations were. But, in light of the portrayal of Paul in Acts which has been constructed so far, it is hard for us to imagine that Luke's audience would have considered that Paul travelled any way other than first class!

Other Possible Reconstructions

The historical account which lies behind the re-telling in Acts of Paul's transport to Rome is difficult to discern. What is important is that for Luke, Festus' concern to receive confirmation from Paul about the location of court, Paul's "appeal" to Caesar's tribunal in Rome, and Festus' acceptance of the appeal, all suggest that Paul was not only a man of reputation but also of wealth who was able to afford the travel from Caesarea to Rome, and maintain private lodgings in the capital. Pliny's descriptions of Claudius Ariston and Terbonius Rufinus, which were mentioned above, provide possible parallels to the Lukan portrayal of the Paul of Acts. Both Claudius Ariston and Terbonius Rufinus were men of wealth and reputation who could afford to bring their cases to the Emperor. In conclusion, few would have been able to bypass the governor and those who did would most probably be members of the higher

orders of society. Luke intended his readers to perceive Paul in just such a manner.

In the previous chapter we argued that Luke, or his source, had taken accounts of Paul before the Roman authorities in Philippi and Jerusalem and had shaped them in order to suggest an implicit comparison between Paul and the magistrates and Tribune. In so doing, Luke attempted to draw attention to Paul's control and social standing. We believe that a similar intention is revealed here. Festus, shown to be of two minds on the matter and influenced by the Jewish leaders, would have been associated with the mob. Paul, in contrast, demands to be heard by Caesar and will not put up with the lesser court of Festus in Caesarea. Yet, if we are correct that Luke, or his source, has shaped this scene, we must at least offer possible answers to the vexing question of what happened to Paul and how he in fact got to Rome. If it is true that Festus was under no obligation to send Paul to Rome, why did he do so?

It is firmly in the tradition that Paul ended his days in the capital of the Empire⁷¹. However, it is interesting to note that in the apocryphal Acts of Paul [AP] the writer does not mention any trial before Festus nor does he describe an appeal. According to AP, Paul sails to Italy under no compulsion. When he arrives in Rome, Paul hires a barn from which he begins to preach. Paul is arrested only after reports reach Nero that Paul is converting some of his slaves⁷². Accepting that the tradition behind the Lukan Acts is more reliable than the tradition behind the Apocryphal Acts, although AP might contain traditions which are reliable, one must still seek to explain what happened to Paul before Festus.

We have attempted to argue that Festus would not have been required to send Paul to Rome. However, it must be stated that Festus could have sent anyone he liked to the capital if he so desired. Josephus reports that Felix, having arrested Eleazar, then sent the brigand leader to Rome⁷³. Eleazar, as far as we know, was not a Roman citizen, yet his reputation, which was sufficiently notorious, and the possibility of provincial unrest on a larger scale, influenced Felix's decision to send him for trial in Rome. Paul, who was called the ringleader of the Nazarenes and who had also been associated with a number of riots through the eastern Empire, might also have been perceived by the successor of Felix as being a sufficiently dangerous character who, under the interrogation of the Emperor, might provide helpful information for further policy. Although Luke placed the religious charges of the Jews against Paul in the foreground, the more serious political charges - whether he was in fact involved in political intrigue or not - were obviously attached to Paul. In other words, Paul need not have been a Roman citizen to be sent to Rome.

Another alternative should be offered which recognizes the tradition of Paul's Roman citizenship. As we have suggested above, the account of Pliny's handling of the Christians of Bithynia is illuminating. Pliny, who writes to Trajan that he had never taken part in trials involving Christians, admits that he is ignorant about the proper handling of the case:

cognitionibus de Christianis interfui numquam: ideo nescio quid et quatenus aut puniri soleat aut quaeri⁷⁴.

That he sends the Roman Christians is *his* choice alone. He is neither required to send them nor does he ask the prisoners their preference of

court. One can assume, in the case of the Christians from Bithynia, that just as the non-Roman citizens were put to death, so too the citizens would be executed after arriving in Rome. While Pliny's decision is undoubtedly influenced by the citizenship of the Christians, he is not obliged to send them to Rome. Rather, Pliny was unsure of what to do with the Roman Christians and needed clarification. Similarly in Acts, Festus had recently come to his province and was confronted by a confusing case. As the text of Acts indicates, Paul was innocent of political charges, and the evidence of the epistles seem to confirm this. Furthermore, as expressed in the narrative, Festus was confused by the religious charges, and under considerable pressure from the Jewish leaders. Unsure of how to continue, and wishing to "wash his hands" of the affair, Festus sent Paul to Rome. We contend that like the Christians of Bithynia, Paul, in fact, would have had little control over the decision.

However, whether Paul was a Roman citizen or not, it is precisely the matter of control which was of such importance to Luke. Throughout our study it has been stressed that the Paul of Acts was a man who was in control, was never at a loss for words, and showed himself to be an individual who was at home among the elite of the Empire. Here, in Luke's account of the trial before Festus, Paul's control over the proceedings is once again highlighted.

Paul's Imprisonment and Journey to Rome

With the rather lengthy discussion of Paul's "appeal" concluded, it is important to investigate how Luke described the way in which Paul was treated both before his formal trial, and subsequently on his journey

to Rome. It must be granted that there is not an abundance of descriptive material in the last eight chapters concerning the imprisonment of Paul. As we have indicated, far more attention has been given to the account of Paul's trial and interaction with the Roman authorities. However, what has been presented indicates that Paul was given certain freedoms while under arrest. Furthermore, it is important to note that the final picture the reader receives of Paul is one which conveys his independence in Rome. In fact, after the dramatic and hair-raising episode on the stormy seas, one can almost forget that Paul is a prisoner at all. As Paul arrives in Italy, greeted by the Christians who come to welcome him, the reader receives the impression that the Roman soldiers are there to escort an arriving dignitary, not to guard a prisoner! It has traditionally been assumed that Luke presented the material in this way in order to highlight the kindness of Roman protection and to suggest to the Christians of his community that they must respect the authority of Rome and look to her for justice. We do not find this traditional interpretation convincing. Rather, what is alluded to in the description of Paul's various imprisonments is the type of treatment received by Paul. He is being treated in a manner corresponding to his alleged high status. We must investigate this issue with more care.

Since we have discussed the accounts of Paul's treatment in Philippi and Jerusalem (Acts 16:37-39 and 22:25-29) in greater detail in previous chapters, it is hardly necessary to repeat the full discussion of these texts here. In short, we argued that the importance of those scenes was threefold. First, Paul, who was of higher status than either of the Roman authorities, suffered punishment usually reserved for slaves and

others of little or no social standing. Second, the Roman authorities are not portrayed, as is traditionally argued, as being kind or just. Third, Luke emphasizes the fear of the magistrates and Tribune when they discover the identity of their prisoner. Furthermore, that these are the only two accounts in Acts where Paul is about to receive harsh treatment does not easily correspond to the evidence of Paul's own letters, Clement's description of Paul's endurance, or to the details presented in the apocryphal AP. In the canonical Acts, Paul is only once physically punished by Roman authority and, on that one occasion, Paul humiliates the magistrates who punished him. In conclusion, the author of Acts either did not know of these incidents or considered it inappropriate to his overall concern to present more than he did. What Luke did emphasize was Paul's status and, with the two noted exceptions, the lenient punishment which was given to him.

We have, in the previous chapter, mentioned the correspondence between legal privileges and social status in the matter of how prisoners were sentenced and treated. It is agreed that execution (*capite puniri*) was rare for offenders of high status⁷⁵. An individual found guilty of a capital crime might face *deportatio*, which meant banishment, loss of property and loss of citizenship, or, *relegatio* which was a temporary exile and did not involve loss of citizenship, or *motio ordine* which was expulsion from the Senate if a Senator or from the council if a decurion. Yet, an individual of low status, for the same crime, might face the wild beasts (*bestiis dari*), crucifixion (*crux*), or be burned alive (*vivus uri*, *crematio*), be condemned to a life in the mines (*mettatum*), or be sentenced to public works (*opus publicum*)⁷⁶. It should be noted that the list of punishments which Paul

received, gathered from outside the narrative of Acts, corresponds to those penalties usually saved for individuals of low status.

Furthermore, the Digest offers a very interesting passage that concerns the duties of the proconsul with regard to the means by which prisoners were to be handled. Ulpian writes:

De custodia reorum proconsul aestimare solet, utrum in carcerem recipienda sit persona an militi tradenda uel fideiussoribus committenda uel etiam sibi. hoc autem uel pro criminis quod obicitur qualitate uel propter honorem aut propter amplissimas facultates uel pro innocentia personae uel pro dignitate eius qui accusatur facere solet⁷⁷.

It is true that in Acts Luke emphasized Paul's innocence, and this might have been a factor in Luke's description of Paul's light imprisonment. However, the other factors which influenced a Roman proconsul were: honorable status (*honores*), great wealth (*amplissimae facultates*), and rank (*dignitas*). We have attempted to demonstrate throughout this dissertation, that these three qualities were among the many that Luke emphasized as he formed his portrait of Paul. We believe that Paul's custody, as described in Acts, is lenient by any standards and the social implications of such treatment would not have been missed by Luke's audience. The fact that there were different types of custody for varying degrees of status and innocence is very important to remember as we investigate the various ways in which Acts describes the imprisonment of Paul from his first arrest in Jerusalem to his light house arrest in Rome.

Imprisonment was properly regarded as a means of detention rather than as a means of punishment. However, as made evident in the Digest, some governors did not recognize such a formal distinction⁷⁸. There is not enough evidence to allow for a full description of the prison

conditions of the first century. Reports from the 4th century suggest that prisons were inhospitable and dangerous places to be⁷⁹. We would assume that there was little change from one century to the next as the evidence from Sallust, to which we shall turn below, suggests. Yet the classical evidence we do possess can be very helpful in properly describing and understanding Paul's imprisonments. We will recount the descriptions of various prisons as found in the writings of Sallust, Philostratus and Josephus, and then return to the account of Paul's imprisonment in Acts in order to discern Luke's intention.

In Sallust's account of the trial of those who were indicted in Catiline's rebellion, he takes special interest in describing the trial and character of Publius Lentulus Sura. Sallust reports that while the trial was in session, Publius Lentulus Sura, who had been one of the followers of Catiline and who was himself of senatorial rank, was to resign his office and be held, along with the other leading conspirators, in free custody (*in liberis custodiis*)⁸⁰. What is meant by free custody is that Lentulus remained under the supervision of a senator who was to be responsible for Lentulus' appearance at the next court hearing. Lentulus' guilt was recognized by all from the moment of his arrest and the debate in the Senate was not concerned with deciding his guilt or innocence. Rather, the senators were divided on the matter of his punishment. Hence, the lenient custody afforded him during the trial was neither given on account of his innocence nor on the nature or the crime. It seems certain that Lentulus' "free custody" was given to him because of his standing and his past reputation.

At the conclusion of the trial the Senate called for the execution of Lentulus which was recommended by Marcus Porcius Cato. The Senate had

rejected Gaius Caesar's plea for a more lenient punishment consisting of exile and imprisonment. On the one hand, the speech of Gaius Caesar is important because he alludes to one of the Porcian laws which stated that a Roman citizen should not lose his life but rather be sent into exile⁸¹. Cato's response, on the other hand, is important for it shows that he, and ultimately the Senate, did not feel constrained to follow the Porcian law as the conspirators were executed. Of further interest for our purposes is the description of the prison into which Lentulus was thrown and where he was strangled. Sallust's description of the prison is as follows:

Est in carcere locus, quod Tullianum appellatur, ubi paululum ascenderis ad laevam, circiter duodecim pedes humi depressus. Eum muniunt undique parietes atque insuper camera lapideis fornicibus iuncta: sed incultu, tenebris, odore foeda atque terribilis eius facies est⁸².

Sallust concludes his account of Lentulus with an important description which includes a serious moral lesson:

Ita ille patricius ex gente clarissima Corneliorum, qui consulare imperium Romae habuerat, dignum moribus factisque suis exitium vitae invenit⁸³.

There are many interesting details in this account. Of prime importance for our immediate purpose is the comparison of Lentulus' imprisonment during and after trial. While the trial is in progress, Lentulus, as would be expected for one of senatorial rank, was placed under the lightest supervision. However, when found guilty he lost all status and was transferred to the most horrible of jails. The tragedy implied in Sallust's account is that an individual who had descended from such true nobility could end his days in a manner which befitted an individual of no status at all. The extremes of his imprisonment are important. As a man of status, one was allowed relative freedom and was

guarded by one's contemporary, i.e., a fellow senator. However, when guilt was declared, Lentulus lost not only his status as a senator but also his Roman citizenship. When Lentulus was stripped of all social and hence, legal status, he was removed to the prison of a common criminal. The lesson to be learned in Sallust's account is plain: although one would expect good pedigree to produce virtuous action, past nobility does not guarantee *dignitas*.

Philostratus, in his biography of Apollonius, depicts the prison into which Apollonius and his fellow prisoners were delivered²⁴. It is described as a "free" prison (ἐλευθέριον δεσμωτήριον) where the captives were not bound. That Philostratus would describe a prison in which the prisoners were not chained implies that a prison in which prisoners were chained existed. It is impossible to be certain that men of high status were always placed in the "free" prison and men of low status were segregated in the "unfree" prison. However, it is interesting to note that those who are in the unbound prison with Apollonius include a wealthy Cilician²⁵, an office holder from Tarentum²⁶, and a property and ship owner from Acarnania, near the mouth of the Achelous²⁷. In all, about fifty prisoners are together who are, it can be assumed, men of substance and status²⁸. Apollonius too, despite his outward appearance, was born into an exceedingly wealthy family whose descendants were among the first settlers of Tyana²⁹. One can assume with a high degree of probability that those who lacked status in the way of wealth or prestige would not have been placed with the men who were with Apollonius.

Perhaps the most revealing evidence concerning the diverse types of imprisonments into which an individual could be placed is found in

Josephus' description of the various incarcerations suffered by Agrippa at the hands of Tiberius⁹⁰. What is interesting and important to note is that Agrippa, as is well known, was a friend of Gaius and Claudius, and was among the most notable of Jews in the Empire. Despite his lack of discipline with money, Agrippa was accustomed to a lifestyle shared by only a few of the wealthiest citizens, Jew or non-Jew, in the known world. Josephus' account is enlightening in that it presents evidence that is important for a proper understanding of Luke's description of Paul's imprisonments. While we would not contend that there is any direct dependence of one author on another, their separate accounts do reflect contemporary descriptions and converging assumptions on how individuals were treated while under arrest.

Either during a carriage ride or around a dinner table, Agrippa openly prayed that he might live to see Gaius "ἡγεμόνα τῆς οἰκουμένης"⁹¹. Josephus' account in The Jewish Wars does not offer much in the way of a descriptive material concerning what happened to Agrippa. Josephus, in this earlier account, reports only that when Tiberius heard of Agrippa's words, he threw him into prison where Agrippa was mistreated (μετ' αἰχίας)⁹². Josephus' subsequent description in Antiquities is more colourful in detail and hence it is this account that we shall investigate.

When Tiberius heard of Agrippa's remarks he orders Macro: "Μάχρων, δεῦρον" (=handcuff, arrest, bind?)⁹³. Macro, not believing that Tiberius would treat Agrippa in such a manner because of his status, and his relationship to the imperial family, hesitates until Tiberius orders a second time: "Μάχρων, τοῦτον εἶπον δεσθῆναι"⁹⁴. Agrippa is then arrested and Josephus describes Agrippa being led away as a prisoner

still wearing the crimson robes (ἐν πορφύροις δέσμιον)⁹⁵, a mark of high status. There is no lack of irony intended here between the royal stature of the prisoner and his less than royal treatment. Josephus notes that Agrippa's feelings are divided between those of distress and those of dishonour (ἀξίαν). Still in his crimson robes and chained to a guard, Agrippa stands in front of the palace until he is thrown into prison⁹⁶. Agrippa's exact conditions are unknown, although the concessions that Antonia requests from Macro give some indication of the initial harshness of Agrippa's quarters. The concessions acquired were: 1) that the centurion to whom Agrippa was chained would be a moderate man (μέτριον ἄνδρα), 2) that Agrippa should be permitted to bathe everyday, 3) that he should be permitted to receive visits from his freedmen and friends, and 4) should have other bodily comforts such as clothing used to make a bed⁹⁷. This new, "lighter" imprisonment was certainly more in keeping with Agrippa's social status.

When Agrippa's freedman Marsyas heard the news that Tiberius had died, he rushes to tell Agrippa who, in turn, passes on the news to the centurion with whom he has formed a friendship. Agrippa and the centurion are feasting and drinking when they discover that the report concerning Tiberius has been premature. Incensed and frightened that he might be accused of rejoicing at the news of the death of the Emperor, the centurion orders that Agrippa again be put in chains (δέσσαι), although he had previously taken them off⁹⁸. When Gaius at last becomes Emperor, he sends Piso, the prefect of the city, to remove Agrippa from the camp to the house where he had lived before his imprisonment⁹⁹. Josephus' description of this final house arrest suggests an interesting parallel to Paul's accommodations in Caesarea and Rome. Josephus'

description is as follows:

τότε ἐν θάρσει λοιπὸν ἤγεν τὰ περὶ αὐτῆς, φυλακὴ μὲν γὰρ καὶ
τήρησις ἦν, μετὰ μέντοι ἀνέσεως τῆς εἰς τὴν δίκαιαν¹⁰⁰.

We will have cause to allude to Agrippa's incarceration and the other descriptions of imprisonment noted above as we return to Acts and the account of Paul's experiences. The important facts to remember are that because of Agrippa's status and relationship to Antonia he could gain several concessions that would have been impossible for one of lesser status or one who did not possess his connections. Furthermore, Agrippa is watched over by a centurion. Important prisoners were guarded by soldiers of high rank. Finally, even after Tiberius' death, Gaius believes that it would be unwise simply to release Agrippa at once. Hence, Agrippa is placed under the lightest of house arrests and assumes a life style similar to that which he had before his initial trouble with Tiberius.

In these three accounts from the writings of Sallust, Philostratus and Josephus, it is apparent that it was taken for granted that those of differing status could be held in various forms of custody. Furthermore, it is not incorrect to assume that those of high status consistently would have received lighter custody than those of low social status. The rescript in the Digest, presented above, only confirms that this practice was not limited to the late Roman Empire but was accepted from, at the very least, the first century if not long before. Therefore, as we investigate Luke's account of Paul's custody, we cannot be accused of anachronism.

It is undeniable that from Acts 21 until the conclusion of Luke's two volumes, Paul is held in some form of custody. We have made mention

of his and Silas' treatment in Philippi above and will only add that the description of their imprisonment (16:24 - ἔβαλεν αὐτοὺς εἰς τὴν ἑσωτέραν φυλακὴν καὶ τοὺς πόδας ἡσφαλίσατο αὐτῶν εἰς τὸ ξύλον) is hardly that of the prison of Apollonius and the other men of status and might well be closer to that of the final cell of Lentulus, or the first cell of Agrippa mentioned above. It is no wonder that the magistrates would be so embarrassed by Paul's declaration of his Roman citizenship. They had not simply held a Roman citizen in custody. Rather, they had placed Paul in a prison normally reserved for those of low status.

After his presentation to the crowd and his statement before the chief priests and the council, Paul is taken and held in the barracks of the Roman garrison. Since Paul has already acknowledged that he was a Roman citizen by birth and was, furthermore, proud of his citizenship of the Greek city of Tarsus, he is held alone under the protection of a centurion. That, according to Luke, his nephew visits Paul, with no reported interference, to tell him of the conspiracy, suggests that Paul was held in light custody more for his protection than for punishment (23:16). That Paul orders the centurion who is guarding him to take his nephew to the Tribune is just one more instance, of which there are many, where Paul assumes control and orders Roman officers to follow his directions. Although not explicitly stated, the portrait created by Luke suggests that Paul was waited on by the Roman soldiers rather than guarded by them.

After the plans of the Jews who wish to kill Paul are disclosed to the Tribune, Luke reports that Paul is then moved to Caesarea. That Luke offers the account that two hundred soldiers, seventy horsemen and two hundred spearmen were required to guard Paul on his journey to

Caesarea indicates, once again, the author's insistence on emphasizing Paul's importance (23:23). However, it is inconceivable that Paul would need that much protection against a band of Jews. In addition, that Paul, in actuality, would be perceived as so important a prisoner as to necessitate such a commitment of Roman soldiers and cavalry is, likewise, difficult to accept.

Luke's description of Paul's custody upon arrival in Caesarea is unknown, but the description of his imprisonment after the trial is reminiscent of Josephus' description of Agrippa's final custody. Luke writes:

διαταξάμενος τῷ ἑκατοντάρχῃ τηρεῖσθαι αὐτὸν ἔχειν τε ἄνεσιν καὶ μηδένα κωλύειν τῶν ἰδίων αὐτοῦ ὑπηρετεῖν αὐτῷ. (24:23)

Luke uses the word ἄνεσιν which is the noun used to describe Agrippa's light imprisonment after Caligula has allowed him to return to the house where he had lived before his arrest (ἀνέσεως). Implied, in this scene in Acts, as noted by Jackson and Lake, is that Paul can receive not only visitors but is, for all practical purposes, free under the recognisance of a centurion¹⁰¹. That it is, once again, mentioned that Paul is guarded by a centurion implies that he is a prisoner of status and importance. In the absence of contrary evidence, one can assume that Paul remains in this light custody until his journey to Rome.

Julius and the Σπεῖρα Σεβαστή

After the "appeal", Paul is sent to Rome. Luke reports that Paul was guarded by Julius, a centurion of the Augustan cohort. Ramsay, many years ago, argued that σπεῖρα Σεβαστή was not a Greek translation of any specific Latin military cohort but was intended to be translated "troop

of the Emperor"¹⁰². Hence, the intention was to portray Paul as a prisoner worthy of such a guard. T.S. Broughton¹⁰³, in his additional note to the Jackson and Lake commentary, and more recently R.W. Davies¹⁰⁴, have argued that σπεῖρα Σεβαστή referred to the Cohors I Augusta, known to have been an auxiliary troop stationed in Syria in the first century¹⁰⁵. According to Broughton, the Cohors Augusta did not possess any significant status and Julius, while being a centurion, would not have possessed the status of a legionary centurion and, despite his name, would probably not even be a Roman citizen. However, Broughton confesses to some confusion. In the conclusion to his article he writes:

It is perhaps suprising that a centurion of a Syrian auxiliary Cohors Augusta should have been given charge of an important prisoner on the road to Rome, for we should expect at least a legionary centurion... In the absence, however, of evidence ... the question must be left open¹⁰⁶.

Although Broughton's and Davies' expertise should not be dismissed, on this point Ramsay's more sensitive reading of the subtleties of the text has allowed him to perceive the importance of the Lukan intention behind this scene. Neither Luke, who would be following his sources, nor his audience would have been experts of military terminology. One can only wonder if the name Julius, who was a centurion in a cohors named after Augustus, would not have echoed sufficient prestige to serve Luke's purpose. Broughton might have identified the true historical background behind Luke's source, but, in this instance, finding the historical referent does not necessarily enlighten us to the intention of Luke. We have argued throughout this dissertation that Luke was more concerned with impressions than historical precision and here the reader is left with the impression that Paul, as would be expected a man of

high social status, was guarded by one corresponding to the status given to the prisoner.

Other Status Indicators

Luke reports that Julius allowed Paul to leave the ship at Sidon to visit friends and be cared for. While this is, as the text indicates, an act of kindness, it also indicates Paul's freedom of movement which would be naturally associated with one of high social standing. Given that most of the friends of Paul mentioned by Luke in Acts are those of the elite of the provinces, this scene presents implications which go far beyond the mere reporting of an event. Furthermore, it is at this point in the narrative that Paul's custody fades into the background and what is emphasized is his control, his courage, his leadership and his piety. We have already noted in a previous chapter that these are all characteristic virtues which would have had important overtones to the reader of the first century.

Although not related to the specific legal issues concerned with custody and protection of prisoners, Luke relates several other smaller details in his account of Paul's journey to Rome which would also have made important connections with Luke's audience of the first century. Besides the report that Paul is entertained by Publius who, it is often noted, is the Roman official (ὁ πρῶτος) of Malta, in Acts 28:11 Luke describes the departure from Malta at the end of the hazardous winter season. The ship, upon which Paul travelled to Rome, originated in Alexandria and sailed under the figurehead of the "heavenly twins" Castor and Pollux (Διοσκούροις) who were "sons of Zeus" and the patron deities of navigators¹⁰⁷. Of greater importance, considering this scene in Acts, is that these heavenly twins were also the patron deities of

the innocent, guardians of the truth and punishers of perjurers. Furthermore, D. Ladouceur mentions that Castor and Pollux were also patrons of the equestrian order¹⁰⁸. Hence, this one small detail, whether part of a source or intentionally inserted by Luke, would inspire a number of important associations in the mind of the Graeco-Roman reader. Paul has been declared not guilty on a number of occasions and the reader would be, by now, assured of Paul's innocence. The mention of Castor and Pollux would only emphasize this fact once again. In addition, that Luke is conscious of highlighting Paul's social status is also reflected by the mention of the "heavenly twins".

Another small detail, not formally connected to the technical legal issues of Acts but which would have indicated to the first reader/hearer that Paul was no ordinary man, is found in Acts 28:15 where Luke writes:

κακεῖθεν οἱ ἀδελφοὶ ἀκούσαντες τὰ περὶ ἡμῶν ἦλθαν εἰς
ἀπάντησιν ἡμῖν ἄχρι Ἀππίου φόρου καὶ Τριῶν ταβερνῶν,
οὓς ἰδὼν ὁ Παῦλος εὐχαριστήσας τῷ θεῷ ἔλαβε θάρσος.

Luke, or his source, uses the word ἀπαντήσις to describe the meeting of those Christians who had come such a long way to welcome Paul as he landed in Italy. F.F. Bruce suggested that this word was used in a technical sense as a term applied for an official welcome of a newly arrived dignitary¹⁰⁹. In a more recent discussion of the semantic range of the word, F.W. Danker noticed Acts 28:15 and believed that the noun was so employed in order to impress Luke's audience of, "the prestige enjoyed by the Pauline entourage."¹¹⁰ The term is found in the inscription describing the meeting between the envoys and Eumenes II which reads as follows:

βασιλεὺς Εὐμένης Ἰώνων τῷ κοινῷ χαίρειν] τῶν παρ' ὑμῶν

πρεσβευτῶν Μενεκλ[ῆ]ς [μέ]ν/ οὐ συνέμειξέ μοι, Εἰρηνίας δε
καὶ Ἀρχέλα[ο]ς/ ἀπαντήσαντες ἐν Δήλῳ ἀπέδωκαν.¹¹¹

Furthermore, the first person narration in Acts 28 has striking similarities with Caesar Augustus' account of the greeting he received from the consul Q. Lucretius and other prominent individuals:

At the same time, by decree of the Senate, a portion of the praetors and tribunes of the plebs, together with the consul Q. Lucretius, and other men of note, were sent as far as Campania to meet my arrival, an honour which up to this day, has been decreed to none other but myself¹¹².

These are, it is granted, small points. But they seem to indicate that Luke was aware of the nuances of the words he used and sensitive to the echoes that his construction of the scenes in Acts would give to his audience. If we are correct, that in these last eight chapters Luke has intentionally described Paul as a man of *dignitas* deserving the advantages due his status, then the word ἀπαντιάω, at this point in the narrative, is likewise meaningful.

A full description of Paul's custody in Rome is not provided in the text except for 28:16. T. Mommsen argued that Paul's custody (*militi tradere*) was indeed lenient in contrast to *carcer* or *vincula*¹¹³. Although much of Mommsen's work has recently been re-evaluated, on this point there is no dissension. Garnsey favourably compares Lentulus' custody, noted above, with Paul's: both were held under *libera custodia* which "...was a mild form of detention one reserved (in Imperial times, at any rate) for men of high status"¹¹⁴. Debate continues over the precise meaning of the various references to Paul's dwelling in Rome¹¹⁵, but Paul's privacy and freedom are assured and the final picture the reader/hearer receives of Paul is one of financial independence and social worth. According to Luke, Paul has been allowed this degree of

freedom because he is a man who deserves such treatment.

The reports of Paul being chained raises an interesting dilemma. It has already been mentioned that his feet were chained in the Philippi prison (16:24). After Paul reveals his identity as a Roman citizen to the Tribune in Jerusalem, the Tribune is frightened because he had had a Roman citizen bound (22:29 - καὶ ὁ χιλιάρχος δὲ ἐφοβήθη ἐπιγνοὺς ὅτι Ῥωμαῖός ἐστιν καὶ ὅτι αὐτὸν ἦν δεδεκώς) and therefore he releases Paul¹¹⁶. Garnsey's comment that it was "*adversus bonos mores*" to chain one of the *honestiores* is germane to these scenes¹¹⁷. Yet 26:29 (...παρεκτὸς τῶν δεσμῶν τούτων) and 28:20 (ἐνεκεν γὰρ τῆς ἐλπίδος τοῦ Ἰσραὴλ τὴν ἄλυσιν ταύτην περικεῖμαι) are likewise explicit: Paul is still bound. The editors of The Beginnings of Christianity suggest that when Paul mentions his condition of being in chains (26:29 and 28:20), he is actually referring to his general condition of being imprisoned¹¹⁸. Lake wonders if the references to Paul being in chains after 22:29 are not metaphorical: "...what was the force of the *lex Julia*?"¹¹⁹. A reference in the Digest seems to support Lake's metaphorical interpretation:

vinculorum autem appellatio latius accipitur: nam etiam inclusos veluti lautumiis vincitorum numero haberi placet, quia nihil intersit, parietibus an compedibus teneatur¹²⁰.

Mommsen too, supported this broad definition, believing that *carcer* and *vincula* were synonymous¹²¹. Garnsey, however, has conclusively shown that this accepted synonymity cannot be maintained¹²². That Paul, as portrayed by the author of Acts, was handcuffed to his guard, much like Agrippa was to his, is probable. That he was encumbered with heavy chains is hardly likely considering his rhetorical flourish of outstretched arms in 26:1.

I In conclusion, it is no mere coincidence that Paul's imprisonment and treatment are lenient by any standards. Luke was concerned to show that even during his trials, Paul was treated as one would expect a defendant of high social status to be treated. From a perspective of a 20th century reader, such subtlety on the part of Luke might seem far-fetched. Nevertheless, what is subtle today was clearly understood in the first century. In addition, even today there exists a relationship between one's social status and one's treatment in the courts and in prison. Our contention concerning Luke's sensitivity in Acts is not so far-fetched after all.

Conclusion

In these last two chapters we have attempted to re-read specific scenes in Acts in terms of what can be known about the Roman law and legal procedure in the first century of the common era. Our initial task was to investigate not only specific laws and rescripts, but also to understand the fundamental presuppositions behind these laws. Although Roman citizens had both social and legal advantages over those who were not Roman citizens, it is also apparent that there were recognized social and legal distinctions between citizens themselves. We found that those of wealth, prestige and high social status could take advantage of the Roman laws in ways which those of less wealth and standing could not. For example, those of wealth and social standing could more easily affect the legal privileges which, at least on paper, were given to all Roman citizens. A defense attorney emphasized the *dignitas* of the individual he was defending and pleaded the case with due stress on the character of the accused. Courts were more likely to

be lenient in sentencing those who could establish their pedigree and *auctoritas* than those who could not.

Moreover, it appears as if judges took account of the status of the prisoner before declaring punishment and considering the type of custody in which the prisoner was to be held. Those of low social status were more likely to face severe punishment than those of high social status. It is true that it was not until the time of Hadrian that explicit mention was made in the laws themselves of a legal distinction between individuals of high and low status. However, we believe that the formalization of status distinction was a final articulation of what was always taken for granted. To put our conclusion in other words, it seems as if it was always the case that those individuals who were poor, who did not have a wealthy benefactor, who were not of the upwardly mobile, who did not come from the best families, who were not considered as having *dignitas* or *auctoritas*, could not assume the full benefits of the legal privileges that were, *de jure*, not denied them.

In addition, when we investigated the primary evidence, we discovered that provincial magistrates and governors wielded a great degree of authority and jurisdiction and often assumed legal police powers or abused their responsibilities in punishing Roman citizens. The sources indicate that these "exceptions" - if they were indeed exceptions - were so common that it would be difficult to establish without doubt that the laws were, in all cases, binding or extensively followed. Citizens might cry out "*provoco!*", but this did not always halt the proceedings, nor did it automatically lead to a court of second instance. Likewise an individual might exclaim "*civis Romanus sum*", yet this was not a guarantee that the one who declared his citizenship would

be sent to Rome or protected from harsh punishment. The evidence we investigated indicated that although governors could send prisoners to Rome, and often did so, it was usually not to the advantage of the one being sent. Only those wealthy and prestigious provincial Romans could influence a court or governor to send their case to Rome with hopes of a more favourable hearing.

In light of this understanding of Roman law in the provinces, and with regard to our contention that the portrayal of Paul in Acts was deliberately shaped by the author to emphasize Paul's social status and moral virtue, we had cause to study those accounts where Paul, as described by the author of Acts, was confronted by Roman authorities. In Acts 16 Paul is beaten and thrown into the inner prison in Philippi. When Paul and Silas are released the next day, Paul declares his citizenship and the magistrates become afraid. It has usually been assumed that Paul would have automatically been protected from beatings and imprisonments due to the *lex Porcia* and *lex Julia*. From our investigation of the various legal issues involved, we have concluded that there would have been no reason for the fear of the magistrates unless they discovered that the citizen who was before them was also one who would have influence with the governor, or could exact revenge. The declaration of the citizenship is a dramatic insertion in order to make a distinctive contrast between Paul and the magistrates and Roman citizens of Philippi. Likewise, in Acts 22, the Tribune had not broken any law. He was fearful when he discovered that Paul was not only a citizen, but a citizen of inherited status from Tarsus. That the Tribune was about to treat a citizen of such standing in a manner usually reserved for slaves was a serious breach of social convention.

Admittedly, it is difficult to discern how much of these narratives is based on factual reports and how much is editorial insertion. However, judged in terms of Paul's own account, in his letters, and compared with the traditions saved in other early Christian writers of his various tribulations, it seems certain that Luke did not know about, or more likely chose not to, include information of Paul's harsh treatment.

The actual legal issues involved with Paul's appeal to Nero, as reported by Luke in Acts 25, are somewhat different from those in Acts 16 and 22. In Luke's account of Paul's hearing before Festus it is not a matter of magisterial *coercitio* that is at stake, but rather the citizen's right to have his case moved to Rome in order to be heard before the Emperor. However, the evidence does not suggest that the provincial authority was obliged to allow the transfer of a case to Rome. The evidence indicates that only those individuals of prestige and importance could influence the governor in the matter of where the court was to be held. We believe that the first readers/hearers of Acts, who would have recognized and understood both the explicit and implicit status indicators given to them by Luke, would have realized that the Paul of Acts was a man of such status and prestige that he could presume to influence the governor's decision and assume that his case would have been heard by Nero in Rome. As mentioned above, attempting to discern and separate the historical from the redactional is extremely difficult. Yet we have reason to believe that what Luke wanted to emphasize was Paul's control by showing that the Roman authority deferred to him - not because Roman authority was just or lenient, but rather because Paul, as described by Luke, was recognized as a man of social status.

Notes to Chapter 6

1. This is essentially the description accepted by Sherwin-White, Rom.Soc. pp.48ff.
2. Mommsen, T., 'Die Rechtsverhältnisse des Apostels Paulus' ZNW 2, 1901, pp.81-96; vid. Röm. Staat. and Röm. Straf.
3. Sherwin-White, Rom.Soc. pp. 48-70.
4. Garnsey, P. 'The *lex Julia* and Appeal Under the Empire', ['*lex Julia*'] JRS 56, 1966, pp.167-189.
5. Lintott, 'Provocatio' ANRW, I, 2, pp.226-267.
6. Millar, F., The Emperor in The Roman World.(31 B.C. - A.D.337), (London: Duckworth, 1977).
7. Long, W.R., 'The Trial of Paul' unpublished PhD. dissertation, Brown University, 1982.
8. Similar questions are raised by Cadbury, H.J., 'Roman Law and the Trial of Paul' ['Roman Law'], Reg. v, p.316. See also, Conzelmann, H., The Acts of the Apostles, (Hermenia), trans. J. Limburg, A.T. Kraabel, D.H. Juel, eds. E.J. Epp and C.R. Matthews, (Philadelphia: Fortress Press, 1987), pp.203-4.
9. Cadbury, 'Roman Law' pp. 297-338.
10. Sherwin-White, Rom.Soc., pp.48-70.
11. Mommsen, op.cit., see note 2.
12. To a significant degree, the commentaries since 1963 have relied on Cadbury and Sherwin-White with little further discussion. Haenchen (p.667) follows Cadbury and Mommsen as does Bauernfeind (p.265), and Conzelman (p.134-5). Schmithals, Roloff, Schille follow Haenchen. In Britain, F.F. Bruce, Acts and H. Marshall, Acts have both relied on Sherwin-White. Marshall, Acts p.385 n.1 is confident that Sherwin-White supersedes Cadbury. Articles show the same dependence, e.g. Brewer, E., 'Roman Citizenship and its Bearing on the Book of Acts' Restoration Quarterly 3, 1961 pp. 205-219.; Bruce, F.F. 'St. Paul in Rome' Reprinted from BJRL, 46, no.2, 1964; and New Testament History (London: Nelson and Sons, 1969) pp.339-340. Bruce reveals his close dependence upon Sherwin-White and Jones; Reese, B. 'The Apostle Paul's Exercise of his Rights as a Roman Citizen as Recorded in the Book of Acts', Evangelical Quarterly 47, 3, 1975, pp.138-145.; Overstreet, R.L. 'Roman Law and the Trial of Christ' Biblia Sacra 135, 1978, pp.323-332.; Black, M. 'Paul and Roman Law in Acts' Restoration Quarterly 24, 4, 1981, pp.209-218.; Correz, M. 'L'appel de Paul a Cesar (Apg.25:11)' in, (eds.) Dore, J. and Grelot, P. De la Torah au Messie (Paris: Desclee, 1981) pp.249-255.; Now see Schürer^{rev}, vol.2, pp.369 n.76. ; Walaskay, And so We Came to Rome, depends on Sherwin-White's discussion, p.77, n.22.
13. Jones, A.H.M., The Criminal Courts of the Roman Republic and Principate, (Oxford: Basil Blackwell, 1972) p.101.
14. Schneider, G., Apostelgeschichte vol.2, p.356.
15. Schürer^{rev}, vol.2, pp.369 n.76.

16. Dibelius, 'The Speeches in Acts and Ancient Historiography', Studies p.149
17. Haenchen, Acts p. 667.
18. Ibid.
19. Schille, G., Apostelgeschichte p.442.
20. Roloff, J., 'Die Paulus-Darstellung', p.525.
21. Rackham, R.B., The Acts of The Apostles^o (London: Methuen & Co., 1925) p.403.
22. Suetonius, Aug. 33,3 trans. R. Graves, Penguin Classics
23. Dio Cassius, 59,8,5.
24. Suet., Gaius 16,2. Penguin Classics; Dio Cass., 59,18,2.
25. Suet., Claudius 14.
26. Suet., Nero 15.
27. Philo, Legatio ad Gaium, trans., E. M. Smallwood, (Leiden: E.J. Brill, 1970).
28. Kunkel, W., Intro. p.69.
29. Sherwin-White, Rom.Soc. p.68.
30. Cadbury, Beg. v p.317; Garnsey, 'Lex Julia', p.167; Millar, The Emperor, p.511, In a recent conversation, Prof. J. Richardson also was doubtful that Acts 25 is an account of *provocatio*. See appendix 2, 'Provocatio'.
31. Sherwin-White, Rom.Soc. p.68; Jones, A.H.M. 'I Appeal' p.57.
32. See Appendix 2 'Provocatio'; Livy, viii,33,8; idem. iii,56,5,;. Mommsen, Röm.Straf. p.473 n.4; Röm.Staat. I, pp.276-77 for appeal to the Tribunes. Mommsen relies on the account given by Dio, 51,19,6f: "τὴν τε ἡμέραν ἐν ᾗ ἡ Ἀλεξάνδρεια ἐάλω, ἀγαθὴν τε εἶναι καὶ ἐξ τὰ ἔπειτα ἔτη ἀρχὴν τῆς ἀπαριθμήσεως αὐτῶν νομίζεσθαι, καὶ τὸν Καίσαρα τὴν τε ἐξουσίαν τὴν τῶν δημάρχων διὰ βίου ἔχειν καὶ τοῖς ἐπιβοαιμένοις αὐτὸν καὶ ἐντὸς τοῦ πενηντῆος καὶ ἑξὼ μέχρις ὀγδόου ἡμισταδίου ἀρμόνειν, ὃ μηδενὶ τῶν δημαρχούντων ἔξῃ, ἐκκλησίαν τε δικάζειν, καὶ ψηφὸν τινα αὐτοῦ ἐν πᾶσι τοῖς δικαστηρίοις ὅσπερ Ἀθηναῖς φέρεσθαι...; Lintott, A. 'Provocatio' p.234, and Garnsey, 'Lex Julia' p.170 n.26 concur.
33. Sherwin-White, Rom.Soc. pp. 57-8.
34. Garnsey, 'Lex Julia', p.170f.; Long, 'The Trial of Paul', p.141.
35. Kunkel, W., Untersuchungen, p.24; vid. Brecht, C.H., 'Zum römisches Komitalverfahren', Zeitschrift für Rechtsgeschichte 59, 1939, p.263, "...so fällt sofort auf, daß in der weitaus überweigenden Anzahl der Fälle das Wort provocare oder provocatio nicht erwähnt wird."
36. Dio, 52,33; Garnsey, 'Lex Julia' p.181.

37. Social Status, p.72; Interestingly enough vid. Jones, A.H.M. 'Imperial and Senatorial Jurisdiction in the Early Principate' Historia 3, 1954-5, pp.464-488 who raises a similar point.
38. Pliny, Ep. x,96.
39. Eusebius, The Church History v, i,1-63, trans. A.C. McGiffert, Library of Nicene and Post-Nicene Fathers, (eds.) Schaff, P., and Wace, H., vol.1, (Grand Rapids: Eerdmans, 2nd printing, 1961).
40. Ibid. v.i.43.
41. The city of Stratonicea renewed its alliance with Rome under Sulla. The citizens are allowed to keep their own laws and customs, Abbott, F.F. & Johnson, A.C., Municipal Administration in the Roman Empire (Princeton: Princeton University Press, 1926) pp.272-276; Garnsey, 'lex Julia', p.183.
42. Cicero, Philippicae 12,18.
43. Cicero, In Vatinius 11,27.
44. Garnsey, 'lex Julia', p.182.
45. Cicero, Epistulae ad Familiares xiii 26,3; 28,1-3; xvi 4,3. Citation from the Loeb Classical Library edition.
46. Dio, 56,24,7.
47. Ehrenberg V. and Jones, A.H.M., Docs. Aug. Tib., no.312.
48. Cicero, Verr. II, ii, 90ff.
49. Ehrenberg and Jones, Docs. Aug. Tib., no.311,1.
50. Cicero, Verr. II, iii, 135-141.
51. Ibid. iii, 134. Cicero stresses that P. Scandilius is an equestrian and will not let the case go unjudged.
52. Lintott, A., 'Provocatio', p.262.
53. Pliny, Ep. iv,22,1.
54. Pliny, Ep. vi,31.
55. Garnsey, Social Status p.56; vid. idem. 'lex Julia', p.182f.
56. Sherwin-White, Rom. Soc., p.64.
57. Ibid. p.65.
58. Haenchen, Acts p.690.
59. Bruce, Acts p.450.

60. Dig. 50.17.37.
61. Sherwin-White, Rom. Soc. p.65.
62. See page 268.
63. Garnsey, Social Status, p.76.
64. I wish to express my thanks to Prof. A. Lintott who kindly replied (Aug. 1987) to a personal letter on this issue of legal aid. I would also like to thank Prof. J. Richardson who confirmed Prof. Lintott's conclusions in a personal conversation.
65. Ramsay, St. Paul the Traveller, p.311.
66. Garnsey, Social Status, p.65; vid. Buckland, W.W. and McNair, A.D., Roman Law: A Comparison in Outline, p.327; also, Jones, 'Imperial and Senatorial Jurisdiction in the Early Principate', pp. 464-488.
67. Ramsay, St. Paul the Traveller, p.312.
68. Cadbury, Beq. v, p.320.; Horsley, G.H.R., New Docs I, p. 36, includes the edict of Sextus Sotidius Strabo Libuscidianus, the acting praetor of Augustus concerned with payment for requisitioned transport. The edicts reveals that Senators were allowed three times the luggage as an individual of equestrian status who was, in turn allowed almost three times the amount of a centurion. Those of the household of Caesar were provided lodging at no cost but presumably others paid for their accomodations. The edict says nothing specific about sea travel but one may assume that similar guidelines applied. Vid. Mitchell, S., 'Requisitioned Transport in the Roman Empire: A New Inscription from Pisidia' ['Requisitioned Transport'], JRS 66, 1976, pp.107-131, plates viii-x.
69. Casson, L., Travel in the Ancient World, (London: George Allen and Unwin Ltd., 1974), pp. 149-162. Casson, in one of the few works specifically on this subject, describes the grain ships that travelled from Alexandria to Rome upon which Paul sailed (Acts 28:11). There were few cabins and these were hired by the V.I.Ps and the wealthy. The majority of the passengers secured deck space. Since the ship's crew were not hired for the comfort of the passengers; those who were sailing brought their own provisions as well as their own servants. Vid. Mitchell, 'Requisitioned Transport' JRS 66, 1976, pp. 107-131.
70. Munck, J. The Acts of the Apostles (Anchor Bible) (New York: Doubleday, 1967) p.231.
71. Eusebius, E.H. ii, xxv,5; Παῦλος δὲ οὖν ἐπ' αὐτῆς Πάμης τὴν κεφαλὴν ἀποτηθῆναι. Eusebius relies on the evidence of Caius a writer in Rome who told of Peter's crucifixion at the Vatican and Paul's beheading on the Ostian Way.
72. The Acts of Paul, (ed.) Hennecke, E., New Testament Apocrypha, 2 vols., revised and ed. Schneemelcher, W., trans., R. McL. Wilson, (London: Lutterworth Press, 1966), vol.2, pp.383-386.
73. Josephus, B.J. iii, 253.
74. Pliny, Ep. x,96,1.
75. Garnsey, Social Status, p.103; Millar, F., 'Condemnation to Hard Labour in the Empire from the Julio-Claudians to Constantine' Papers of the British School at Rome 52, 1984,

pp. 124-147. Millar's article is formally concerned with the treatment of prisoners in the 4th century but his comments are helpful in understanding the earlier period.

76. For a contrast between *capite puniri* and *deportatio* see Dig. 48.19.15, 48.28.9, 48.22.6. For contrast between *metallum* and *relegatio* see Dig. 47.17.1, 47.20.3.2.

77. Dig. 48.3.1.

78. Ibid. 48.19.8.9. But see Eisenhut, W. von, 'Die römische Gefangnisstrafe' ANRW II.1, pp.268-282. von Eisenhut believes that imprisonment was always one of the options given to the provincial governor.

79. Garnsey, Social Status p.151 n.4 who refers to Libanius Orationes 45; Codex Theodosianus 9.3.1

80. Sallust, Bellum Catilinae [Bell. Cat.] xlviii.2; Garnsey, Social Status p.147 compares Paul's custody in Rome with Lentulus' custody reported by Sallust.

81. Bell. Cat. li.22.40.; cf. Plutarch Cicero, 21.3f.

82. Bell. Cat. lv.3-4.

83. Ibid. lv.6.

84. Philostratus, Vita Apollonii vii.22.

85. Ibid., vii.23.

86. Ibid., vii.24.

87. Ibid., vii.25.

88. Ibid., vii.26.

89. Ibid. i.4.

90. Josephus, Ant. xviii.188-237; B.J. ii. 178-180.

91. B.J., ii.178 or Ant. xviii.168,187.

92. B.J., ii.180.

93. Ant. xviii.189.

94. Ibid., 190.

95. Ibid., 192.

96. Ibid., 195. That Agrippa is attached to a centurion and not to an ordinary soldier is evidence of his importance and status.

97. Ibid., 203.

98. Ibid., 233.

99. Ibid., 235.

100. Ibid., 235.

101. Jackson and Lake Reg. iv, p.304.

102. Ramsay, W. St. Paul the Traveller p.315.

103. Broughton, T.R.S. Reg. v, 427-445; vid. Cheesman, G.L., The Auxilia of The Roman Imperial Army (Oxford: At the Clarendon Press, 1914) p.45-48. "The title Augusta seems to have been granted at all periods honoris causa although some of the regiments bearing it may date back to the beginning of the Empire." For example, vid. *I Augusta Praetoria Lusitanorum E.* in Egypt, CIL 156; and also from Egypt *I Augusta Pannoniorum Scutata C.R.*, CIL 83; The most important fleet was the *classis Augusta Alexandrina* whose legionary commander (*legatus legionis*) was regularly a Senator of Praetorian status.

104. Davies, R.W., 'The Daily Life of the Roman Soldier under the Principate' ['Daily Life'] ANRW II, 1 pp.299-338, especially pp.323-4; Schürer^{rev} vol. 1, pp.362-365. The editors of the revision of Schürer recognize the difficulty of identification. They acknowledge that σπεῖρα Σεβαστή is not simply another name for σπεῖρα Σεβαστηνῶν. However, Schürer^{rev} notes that Σεβαστή is the Greek translation for Augustus, an honorary appellation. To circumvent the dilemma in Acts, the editors guess, although there is no evidence to prove their suggestion, that Luke was here referring to *cohors Augusta Sebastenorum*, an auxiliary force in Judaea raised from residents who lived in Samaria. Despite Schürer^{rev}'s plausible reconstruction, they notice that in Acts 10, Luke makes mention of Cornelius who was in a σπεῖρα Ἰταλική. According to the editors there was no Italian cohort in Caesarea in the fifth decade of the first century A.D.. Hence, they admit, "The story of the centurion Cornelius (Acts 10) is open to suspicion", p.365. We would wonder if having made one mistake, Luke's account in chapter 27 can be trusted in all its details?

105. The number of works devoted to a description of the Roman Army is immense with several important studies published in the last five years. The classic work is still that of Cheesman, op.cit.; See also, Davies, R.W., 'Cohortes Equitatae' Historia 20, 1971, pp.751-763; Davies, R.W., 'Daily Life' with bibliography up to 1974; Saddington, D.B., 'The Development of the Roman Auxiliary Forces from Augustus to Trajan' ANRW, II, 3, pp.176-201; Breeze, D.J. 'The Career Structure Below the Centurionate During the Principate' ANRW II, 1, pp.435-451; Campbell, J.B., The Emperor and The Roman Army 31 B.C.-A.D.235, (Oxford: At the Clarendon Press, 1984); Keppie, L., The Making of the Roman Army from Republic to Empire, (London: B.T. Batsford, Ltd., 1984); Webster, G. The Roman Imperial Army of the First and Second Centuries A.D.³, (London: Adam and Charles Black, 1985); Campbell, Keppie and Webster have helpful bibliographies.

106. Broughton, op.cit. p.433.

107. Horace, Odes i,3,2; iii,29,64; vid. Reg. iv, pp.343-4; Pauly-Wissowa v, pp.1087ff.; Ramsay, Paul the Traveller p.36; Harris, R., Cult of the Heavenly Twins, (Cambridge: At the University Press, 1906); Bruce, Acts, pp.473-4.

108. Ladouceur, D., 'Hellenistic Preconceptions of Shipwreck and Pollution as a Context for Acts 27-28' HTR, 73, 1980, p.445; Kraus, W., 'Dioskuren', RAC 3, pp.1122-1138, esp. p.1133, Kraus writes, "Der Wirkungsbereich der D. in Rom umfasste ausser der Patronanz über die Ritterschaft"; Ladouceur also makes mention of an unpublished Tübingen

dissertation of Jaisle, K., 'Die Dioskuren als Retter zur See bei Griechen und Römern', 1907.

109. Bruce, Acts p.475.

110. Danker, Benefactor, p.415, n.62.

111. Dittenberger, OGIS 763.4 vol. 2, pp.505-6.

112. Res Gestae Divi Augusti 12f., trans. C.K. Barrett in The New Testament Background: Selected Documents (revised ed.) (London: SPCK, 1987) p.1.

113. Mommsen, Röm. Straf. p.317n.5.

114. Garnsey, Social Status p.147.

115. At 28:16 there are two significant Western textual additions "ο εκατονταρχος παρεδωκεν τους δεσμιους τα στρατοπεδάρχεια" and "...εξε της παρεμβολης". The mention of the stratopedarch has been interpreted by Mommsen, Ramsay and Broughton as a reference to the *princeps peregrinorum* who were the special soldiers of centurial rank sent throughout the empire at the orders of the Emperor (see note 95-97 above). If this is true then it implies that Paul was in the hands of a high status guard who allows him to reside outside of the camp (another mark of special treatment?). The other alternative is that according to the Western text, Paul was handed over to the *praefectus praetorii* vid. Pliny Ep. x,57. Whatever text one accepts, the important point to note is that Paul is alone. Haenchen describes Paul as living "...in private quarters with his Roman guard," Acts, p.718. At 28:23 there is some ambiguity concerning "...ἦλθον πρὸς αὐτὸν εἰς τὴν ξενίαν πλείονες..." Haenchen believed that the many Jews visited Paul in his quarters (p.723) Beq. iv, p.346 translates it that the many accepted his hospitality. Either way the Jews are coming to Paul's own quarters and it is certainly not a prison cell. Finally at 28:30 concern arises over the proper translation of μισθώματα "own earnings" or "own rented quarters". Vid. Cadbury, H.J., 'Lexical Notes on Luke-Acts: III Luke's Interest in Lodging' IBL 45, 1926, pp.305-322, esp. 319ff.; Hansack, E., 'Er lebte...von seinem eigenen Einkommen, (Apg. 28,30) Biblische Zeitschrift 19, 1975 pp.249-253.

116. The confusion arises in v. 29 where it reads that the Tribune was frightened because a Roman "ἦν δέδοκός". Yet in verse 30 it reports that the next day "ἔλυσεν αὐτὸν". 614 sy^h**, sa have added to verse 29 that Paul's release was immediate but this addition then adds to the confusion in the next verse. Conzelmann, Apg. p.127, wrote: "Dieser Vorgang ist historisch unmöglich; der Tribun fürchtet sich, weil er sich an einem römischen Bürger vergriffen hat; aber er läßt ihn über Nacht noch in Fesseln..." His description makes the scene more complicated than necessary. The editors of Beq. iv, p.286 and Haenchen, Acts p.636, have correctly seen that what the Tribune is scared about is having Paul tied up for lashing in 22:25. The Tribune releases Paul from being tied up to be tortured in 22:29 and then fully releases him in 22:30.

117. Garnsey, Social Status, p.151.

118. Beq. iv, p.346.

119. Ibid. p.346.

120. Dig. 4.6.9.

121. Mommsen, Röm. Straf. p.966 n.1.

122. Garnsey, Social Status.p.150 n.5.

Summary and Conclusions

The purpose of this dissertation was to investigate the Lukan portrayal of Paul as a man of high social status and moral virtue in the concluding chapters of Acts. Many scholars have studied the Lukan Paul and noted Luke's interest in women and men of high standing, Asiarchs and Roman officials and soldiers. Yet we found that these studies had misunderstood the full implications of the manner in which Paul was presented in Acts. We noticed that the Lukan Paul was described as a strict Pharisee from a Pharisaic family who possessed the citizenship of the Greek city of Tarsus and also a Roman citizenship. While certain scholars had noted the uniqueness of Paul's background, no one had adequately comprehended the historical difficulties involved with such a description. We found that while we could not prove absolutely that it was impossible for Paul to have combined all of these claims, it became apparent to us that it was highly improbable for a Jew, born in the first decade of the first century A.D., to possess such a pedigree. Illumined by a sensitivity to the present day scholarly discussion of social status and social stratification, and aware of the social-historical fact that the Graeco-Roman world was shaped by a consciousness where every individual had his or her place on the social scale, we became even more skeptical of the historicity of the biographical data presented in Acts. Moreover, we considered as a legitimate possibility that Luke had taken over and shaped his sources with the specific intent of describing Paul as a man of high social credentials.

This preliminary concern led us to search for other status indicators that could be used to construct a composite portrait of the Paul of Acts. Although Luke did not go into great detail, he did construct his narrative in such a way as to leave the reader with the impression that Paul was also of at least moderate wealth, if not wealthy, and highly educated. In addition, the numerous references to converts and sympathizers who were of high status showed that the Paul of Acts was comfortable in the higher social circles of the Graeco-Roman world. Therefore, gathering various bits of data from Acts, we developed a tentative description of Paul's objective and accorded status. His citizenships alone placed him among the elite and his discussion with the Tribune (Acts 22:28) shows him to be freeborn, yet another status indicator. Despite the one off-handed mention of Paul's vocation as a tentmaker - an occupation of low status - the Paul of Acts is worthy to stand among those of privileged rank.

In addition to these specific status indicators, Luke was also intent upon demonstrating Paul's moral qualifications. Investigating the subtle, yet highly significant, way in which Luke developed his narrative, we were led to conclude that Luke cast Paul as a man who possessed true virtue (*ἀρετή*). Possession of the cardinal virtues of *φρόνησις*, *σωφροσύνη*, *δικαιοσύνη*, and *ἀνδρεία* was a mark of a man of the highest credentials. Added to Paul's status attributes noted above, Luke's characterization of Paul in Acts takes on an even more significant dimension. Paul, in the Acts of the Apostles, can be legitimately described as a man of ideal status. He possesses every qualification that would have made him a paragon of virtue.

Moreover, Paul's status and moral authority were highlighted to an

even greater degree through the common rhetorical and literary device of σύγκρισις. Throughout Acts, Luke has juxtaposed Paul with other characters in order to raise Paul's status by comparison and to differentiate Christianity from the mass of common people. Even those characters in Acts who, on the surface, possessed certain high status characteristics, such as Felix and Festus, were shown to be Paul's inferiors.

As we made a closer study of this particular perspective of the Lukan portrayal of Paul, we began to detect another Lukan concern which seemed to suggest that true moral virtue was a gift of the Holy Spirit which the believer received upon conversion. Paul's account of his experience on the road to Damascus in Acts 26 reflected this interest as did the description of Peter and John in Acts 4:13. Luke seemed to be portraying Christianity as another status attribute which would confirm the prestige of those who already possessed high rank and raise the status of those individuals who did not already possess high status crystallization.

Convinced that Luke was highlighting certain aspects of his description of Paul, with the intention of bringing Paul's status characteristics to the forefront, we looked closely at the legal scenes in Acts. Our study of Roman law from the end of the Republic to the time of the publication of the Justinian Digest, showed that Roman law always recognized differences in status. Roman citizens had certain legal privileges that non-citizens did not have. Yet, even among citizens, there were always status distinctions. Those who were recognized as having high status received more lenient sentences, could effect with greater success an appeal, and could expect better prisons

and more respectful treatment from their guards who were their social inferiors. Furthermore, it was common practice for lawyers to build much of their defense upon the persona of the defendant. One who was perceived as having high status characteristics had a better chance of acquittal. In Acts, Paul's appeal is heeded, he is given freedom of movement and is allowed his own private lodging in Rome. With two exceptions, he is treated as an important person by the Roman authorities. We found that even the two exceptions (Acts 16 and 25) reflected a Lukan concern for Paul's social standing.

Each of the three main concerns, i.e., Paul's biographical claims in Acts, Luke's interest in the cardinal virtues, and the description of the legal scenes, point to the author/compiler's intention of portraying Paul in such a way that the first reader/hearers would be left with the impression that Paul was an individual of high status credentials and moral authority.

We believe that our investigation has both confirmed some well known conclusions and disputed the force of others. Firstly, we believe that Acts is only of secondary worth as a source for the quest for the historical Paul. While we cannot prove that the author of Luke-Acts was not Luke, the companion of Paul, the evidence indicates that Luke-Acts was constructed from any number of sources and that Luke was not an eyewitness of the events. While this is hardly a new insight our study has corroborated the critical consensus.

Secondly, that certain Romans are sympathetic and friendly to the faith is certainly true, but we are convinced that Luke did not intentionally and consistently portray all Roman officials and Roman authority in a positive light. Not only did we present a number of

references which would hardly support that position, but we also indicated that, compared with the Paul of Acts, Roman authority appeared less than fair, protective, just and in control. Roman officials are no more than foils to Paul. Luke-Acts is neither an apology intended for Roman authority nor meant to present Christianity as a *religio licita*. Christianity can not be held in check by either Jewish or Roman authority and it does not need any secular protection. Jesus' words in 1:8 and Gamaliel's warning in 5:34ff. are testimony for this assertion.

Thirdly, as we indicated in the introductory chapter, the vast majority of present day scholars are convinced that Luke-Acts must have been written for a Christian community. In fact, there is a growing tendency to conceive of Luke as a pastor writing to assuage the anxiety of his congregation. We believe that the very style and substance of the work counter this hypothesis. From the opening dedicatory preface to Theophilus, to the close of Acts where Paul is preaching unhindered in the capital of the empire, the mood of the work is expansive and evangelistic, not introspective and defensive. While we would not disagree that part of the Lukan purpose was both to identify the new faith's continuity with Judaism and to indicate Christianity's unique identity as a new religion, the work was directed to non-believers, not to believers.

Fourthly, Luke himself identifies the audience to whom the work is written. Luke does not dismiss individual Jews, although he no longer believes that all Jews will convert. The number of Greeks and Romans who are mentioned, particularly those of high standing, suggests that Luke intended his writing for the larger Graeco-Roman world. Moreover, the numerous instances in the narrative of Godfearers and other Gentiles

who are worshipping in the Synagogue, indicate that Luke recognized this important mission field. Yet, as mentioned in the second chapter, Luke does not forget those who are on the fringes of society. While the Magnificat and the Sermon on the Mount, with their promises of a radical social reversal, have lost some of their revolutionary zeal - in the light of Luke's interest in those of social status - there is still a universality to Luke's work that is inclusive of everyone, no matter the individual's social credentials.

Fifthly, we believe that Luke above all wished to present Christianity as a vibrant, universal and unstoppable faith. Jesus, despite his humble origin, was the authoritative Son of God who was the giver of true status and virtue. Christianity could no longer only be perceived as the faith of the uneducated masses. To Luke, Christians were at home in the upper circles of the Hellenistic world and belief was a mark of social distinction. However, we would want to defend Luke from being guilty of simply accepting the structures of the secular social hierarchy and merely assimilating the faith to it. In Acts, the various characters are confronted by the power of Christ in word and in action and must respond to it. Like Paul, one's social status is of little consequence unless he recognizes the ultimate status of Christ and place himself under his authority.

Finally, though we do not believe that Luke was a pastor for *his own* community, we do believe that his two-volume work has a powerful and challenging pastoral message for today. Today, individuals seek to increase their status no less than individuals of Luke's time. In many major Western nations, the creation of wealth and the investment of capital are considered among the highest social virtues. Status, wealth

and power are to be sought after and acquired. Luke's message is a proclamation directed to those who seek after social credentials only to lose their soul.

Appendix 1

The Pharisees

In this appendix we will offer a short excursus on the Pharisees. Although not an exhaustive study of this important subject, we will attempt to achieve a sufficient understanding of several issues that are of significance to our overall thesis. We shall address the matters of Diaspora Pharisaism and the topic of Pharisaic belief and practice in order to better discern the accuracy of the Lukan portrayal of Paul.

We have stated in a number of places in this dissertation that too many scholars take for granted the biographical data presented by Luke in Acts. The outlook expressed by H.J. Schoeps is common:

Families of the Pharisaic diaspora were essentially polyglot and especially the family of Paul, which enjoyed citizenship both of Tarsus and of Rome.¹

Unfortunately, Schoeps offers no evidence, other than Luke's claim in Acts, that: 1) Pharisees were found in the Diaspora, 2) these alleged families were "essentially polyglot" or, 3) Pharisaic families would have enjoyed the citizenship of both Tarsus and Rome. However, Schoeps does admit that the combination of Roman citizenship and strict Pharisaism was rare in Palestine and, "confronts us with an extraordinary phenomenon of the Diaspora"².

G. Bornkamm is more circumspect. He contends that Pharisaism was not as narrow or as exclusive a community as has often been described and that by "thus electing for the Pharisaic school of thought, Paul was by no means required to disavow his origins in the Diaspora"³. Bornkamm may be correct. However, in our reading of Acts, Paul does not "elect" Pharisaism. Rather, Luke reports that Paul is *born* into the strictest

of Pharisaic families of Tarsus and claims a Pharisaic upbringing.

Although more of a general, popular publication, the Encyclopedia Judaica, moreso than Bornkamm or Schoeps, senses the problem:

Paul was a Jew, born during the first years of the common era. His original name was Saul and he was a native of Tarsus in Cilicia and possessed Roman citizenship, but according to Jerome, his family originated from Giscala (Gush Halav) in Galilee. This may explain his adherence to the Pharisaic form of Judaism where, according to Acts, he was a pupil of R. Gamaliel, the elder.⁴

This last account does not indicate that Paul was a citizen of Tarsus, only that he was a native of that city. As we have attempted to show in another place, residency was not necessarily synonymous with formal citizenship. Furthermore, the author of this brief biographical sketch is hesitant to accept that Paul could have learned his Pharisaism in Tarsus. Hence, he relies on Jerome's tradition. This raises the first question: what evidence is there for Pharisees in the Diaspora?

The question of the presence of Pharisees in the Diaspora is still debated although a general consensus agrees that Pharisaism was a sect found primarily in Jerusalem. An authority no less than Jacob Neusner writes:

I don't know what to make of a Pharisee born overseas, which, by definition, is unclean. If Pharisees are worried about the cultic cleanness at home, they cannot pursue their discipline outside of the Holy Land...As to other parts of the Diaspora, Paul is the sole testimony I can think of.⁵

Neusner's case is supported by the evidence of Ketuvoth 110b found in the Babylonian Talmud. There it states:

Our Rabbis taught: One should always live in the land of Israel even in a town most of whose inhabitants are idolaters, but let no one live outside the Land, even in a town most of whose inhabitants are Israelites; for whoever lives in the land of Israel may be considered to have a God, but whoever lives outside the Land may be regarded as one who has no God. For it is said in Scripture, 'To give you the land of Canaan, to be your God (Lev. 25:38). Has he, then, who does not live in the Land, no God?

But (this is what the text intended to tell you), that whoever lives outside the Land may be regarded as one who worships idols. Similarly it was said in Scripture in (the story of) David, 'For they have driven me out this day that I should not cleave to the inheritance of the Lord, saying: Go, serve other gods' (I Sam. 26: 19). Now, whoever said to David, 'Serve other gods' (But the text intended) to tell you that whoever lives outside the Land may be regarded as one who worships idols.⁶

In two sayings attributed to R. Eleazar, the importance of the Land of Israel is stressed once again:

R. Eleazar said: Everyone who dwells in the land of Israel lives without sin, as it is said: "And no inhabitant will say, 'I am sick'; the people who dwell there will be forgiven their sin" (Isaiah 33:24).⁷

R. Eleazar said: the dead outside the Land do not come to life, as it is said: "I have placed a desirable thing in the land - life" (Ezekiel 26:20). The dead in the land in which is my delight come to life; (in a land) in which I have no delight, the dead do not come to life.⁸

Living in the land of Israel is of crucial importance. Of course, one must take into account the dating of the publication of these talmudic tracts. It should not be pressed that they reflect the opinions of Pharisees in the first century of the common era.

Although the evidence cited above indicates that those who lived outside the Land were held in lower esteem, other evidence suggests just the opposite. For example, it is reported that R. Eleazar also said:

God scattered Israel among the nations for the sole end that proselytes should wax numerous among them. Rabbi Hoshaiah said: God did Israel a benefit when he scattered them among the nations.⁹

In an anonymous tract found in Tanna de be Eliyyahn, this opinion is further supported:

Even though Israel be in exile among the nations, if they occupy themselves with Torah, it is as though they were not in exile.¹⁰

The famous exhortation found in Aboth 1.1ff, might also be used to suggest that Pharisees were open to outsiders:

Moses received the Law from Sinai and committed it to Joshua, and Joshua to the elders, and the elders to the Prophets; and the Prophets committed it to the men of the Great Synagogue. They said three things: Be deliberate in judgement, *raise up many disciples*, and make a fence around the Torah.

Finally, there is the interesting statement in Matthew 23:15:

Οὐαὶ ὑμῖν, γραμματεῖς καὶ Φαρισαῖοι ὑποκριταί, ὅτι περιάγετε τὴν θάλασσαν καὶ τὴν ξηρὰν ποιῆσαι ἓνα προσήλυτον, καὶ ὅταν γένηται ποιεῖτε αὐτὸν υἱὸν γεέννης διπλοῦτερον ὑμῶν.

Unfortunately none of the evidence presented answers the first question raised above with sufficient precision. The citations from the rabbinic literature more probably reflect the realization that Jews can no longer live in Israel and hence, have to accept living outside the land. Although the passage from Matthew can be dated in the first century, it is hardly enough to place Pharisees in Tarsus at the beginning of the Millennium.

Josephus provides one narrative which might support the evidence of Matthew noted above. Josephus reports that the Syrian king, Izates of Adiabene, was won over by a Diaspora Jew and converted without being circumcised. Yet later, the king was reconverted by a Palestinian Jew who stressed the necessity of circumcision¹¹. Bornkamm believed that Eleazar, the Palestinian Jew, was of the Pharisaic school¹². In the account provided by Josephus, Eleazar is not specifically identified as a Pharisee. Rather, Josephus mentions that this Eleazar is ἀκριβής. Ἀκριβής is often used by Josephus to describe the sect of the Pharisees (B.J. 1,110; 11, 162-166; Vita 191). In Acts, Paul uses the same adjective to describe the nature of his own schooling at the feet of Gamaliel (Acts 22:3 - ἀκριβείαν). This story in Josephus is interesting not only because it contrasts the strict nature of Palestinian Judaism with the alleged lax Judaism of the Diaspora, but it suggests that

Pharisees were found in Syria, even if only travelling from the South. It would seem logical, to extend the facts of the narrative, that Pharisees, when travelling abroad, would depend on Pharisaic communities for accommodations.

Philo¹³ and Josephus, in another place¹⁴, both write that Essenes were found in every town. By extension it would seem logical to assume that Pharisees may also have been found in every town, even if not specifically noted. Since our knowledge of Judaism in the first century is still far from complete, one should be careful of drawing hard and fast conclusions. Therefore, we would tentatively suggest that the evidence does not rule out the possibility that Pharisees existed in the Diaspora, although it is hardly proven.

The second issue, concerning what the Pharisees believed and taught, is less problematic although it is still difficult to define their creed with precision¹⁵. Firstly, much of the confusion has arisen from the nature of the sources. The Gospel accounts are highly polemical, the Rabbinic sources are late, and the evidence from Josephus emphasizes the Pharisee's political popularity. Secondly, anti-semitism has obscured the true nature of Pharisaism. To Christians throughout the centuries, Pharisaism has been synonymous with hypocrisy. Moreover, Pharisees have been identified as among those who were responsible for the death of Jesus.

Actually, once the polemic is stripped from the Gospel accounts, the picture of the Pharisees received from them is similar to the description of the Pharisees in the Talmud and Midrashim. Gospel and Talmud agree that the Pharisees were a religious sect concerned with a detailed interpretation of the Torah and meticulous observance of

cultic purity (vid. particularly Mt. chapter 23).

In the writings of Josephus one receives an additional perspective. While Josephus does describe the Pharisees as being strict observers of the Law (σύνταγμα τι Ἰουδαίων δοκοῦν εὐσεβέστερον εἶναι τῶν ἄλλων καὶ τοὺς νόμους ἀκριβέστερον ἀφηγεῖσθαι)¹⁶, there is more emphasis on the political involvement of the Pharisees. Josephus describes the Pharisees as the party of the masses (τῶν δὲ φαρισαίων τὸ πλῆθος σύμμαχον ἔχόντων)¹⁷. According to Josephus, the Pharisees opposed the oppression of Antiochus Epiphanes and split with John Hyrcanus and Alexander Jannaeus over his possession of political and priestly authority. In the Antiquities, Pharisees are described as having tremendous influence over kings, queens and high priests. It is interesting to note that Josephus writes that the Pharisees attracted the attention of the court women (οἷς ὑπῆκτο ἡ γυναικωνίτις)¹⁸. Luke also indicates that women of high status are drawn to Paul's preaching (Acts 17:4, 12). Josephus mentions the Pharisaic refusal to pledge the oath to Herod.

Besides emphasizing their political influence, Josephus indicates that the Pharisees were affectionate to one another, had a simple standard of living, and believed in the resurrection, fate and free will (vid. Ant. xviii, 12-15; Acts 23:6). Furthermore, the Pharisees are always favourably contrasted with the Sadducees¹⁹. Josephus' comparison of Pharisees and Sadducees is interesting in the light of Luke's juxtaposition of the two groups in Acts (5: 1-34; 23:7-9).

In his autobiography, Josephus described the Pharisees as stoic philosophers²⁰. C.K. Barrett has rightfully pointed out that "the similarity between the Pharisees and Stoics is in fact slight."²¹ It is

certain that Josephus made this comparison on behalf of his Hellenistic audience. However, Josephus' description raises two important points. Firstly, we must be cautious about the evidence provided in Josephus concerning the sects. If it can be shown that Josephus has incorrectly described the Pharisees in one place, then it cannot be assumed that he is fully accurate in other passages. Secondly, Pharisees are apparently unknown to his audience. While this is hardly conclusive evidence, it may imply that Pharisees were not found outside of Palestine.

Josephus' reliability is not universally accepted. Many have accused him of falsely presenting the Pharisees for a particular apologetic aim²². Whatever the truth of these accusations, the evidence in Josephus, like the evidence in the Gospels and the rabbinic literature, must be evaluated with caution²³.

In summary, we have remained neutral on the issue of Diaspora Pharisees. The evidence is open to interpretation. There is no evidence that specifically names Pharisees outside of Palestine before the publication of Matthew, although it is not possible to prove otherwise.

Concerning the question of Pharisaic belief and practice we have restated the consensus opinion: the Pharisees are best described as a lay sect which ate together and were strict interpreters of the Torah²⁴. Some have called them a kind of monastic order. J. Jeremias believed that the Pharisees saw themselves as the "holy community of Jerusalem"²⁵. L. Baeck described the Pharisees as a "sainthood of holiness"²⁶. Schürer²⁷ has called them an *ecclesiola in ecclesia*²⁷. Many have contended that Pharisees sought to separate themselves from all that was unclean, including particularly the *Am A' Aretz*²⁸. This

view has been challenged by Zeitlin who feels that the Pharisees were not overly concerned with Jews who did not observe the Torah with the same care²⁹. The Christian Pharisees in Acts are particularly cautious of Paul and Barnabas' mission to the Gentiles (15:1-5).

It is difficult to discern the extent of the political involvement of the Pharisees. They seemed to have been politically active during the Maccabean era. Josephus reports that some Pharisees were among the leaders of the uprising against the Romans and that some Pharisees were zealots³⁰. However, despite the evidence in Josephus, it is usually held that the Pharisees were apolitical. The editors of Schürer write:

Insofar as they were not obstructed, they could be content with any government.³¹

Hence, while it might be the case that Pharisees could maintain their religious identity under any regime, the evidence hardly suggests that they would seek citizenship of a Greek polis.

In terms of the overall implications of the evidence for our study of Paul in Acts, it must be assumed that if there were Pharisees in the Diaspora, they would not be the kind of Jew who would seek to assimilate into the Hellenistic community of which they were a part. If they refused to take an oath to Herod, it would seem improbable that they would take an oath of citizenship in a Greek city³². So, even if there were communities of Pharisees scattered about the Mediterranean prior to 70 A.D., and Paul was born and raised in a strict Pharisaic family in Tarsus, it still appears to us as if it would have been highly improbable for Paul to be a proud, full-standing citizen of that Greek city.

Notes for Appendix 1

1. Schoeps, H.J., Paul: The Theology of the Apostle in Light of Jewish Religious History, trans. H. Knight, (London: Lutterworth Press, 1961), p.24.
2. Ibid. p.25.
3. Bornkamm, G., Paul, trans. D.M.G. Stalker, (Hodder and Stoughton, 1975), p. 13.
4. Encyclopedia Judaica, (Jerusalem: Keter Publishing House, 1971-2), vol. 13, p.363.
5. In a personal letter, Nov. 1986.
6. The Babylonian Talmud, trans. I. Epstein, (London: The Soncino Press, 1936).
7. Ibid. Ketuvoth, 111a.
8. Ibid.; cf. Babylonian Talmud, Baba Batra 158b: Rabbah stood by the principle of R. Zeira: "The Atmosphere of the land of Israel makes wise".
9. Montefiore, C.G., and Loewe, H., A Rabbinic Anthology, (London: Macmillan and Co., 1938), #301, p. 114.; Vid. Manson, T.W., 'Sadducee and Pharisee: The Origin and Significance of the Names', BJRL 22, no.1, 1938, believes that the root of Pharisee "prs" comes from the Aramaic for Persian (pershia).
10. Montefiore and Loewe, A Rabbinic Anthology #353, p.121.
11. Josephus, Ant. xx, 38-41.
12. Bornkamm, Paul, p.11.
13. Philo, Quod omnis probis liber sit 75-91.
14. Josephus, B.J. ii, 119-161.
15. Schürer^{rev} vol. 2, pp. 391-393.
16. B.J. i, 110.
17. Ant. xiii, 297-8; 401-406.
18. Ant. xvii, 41-46.
19. B.J. ii, 162-166; Ant. xiii, 171-173; xviii, 12-15; xx, 199.
20. Vita 7-12.
21. Barrett, C.K., The New Testament Background: Selected Documents, (London: SPCK, 1956), p.192.
22. Smith, M., 'Palestinian Judaism in the 1st Century' in (ed.) Davis, M., Israel: Its Role in Civilization, (New York: Schocken, 1956), pp. 75-6; Neusner, J., Formative Judaism III, (Providence: Brown University Press, 1983), pp.61-83.

23. Broshi, M., 'The Credibility of Josephus', Journal of Jewish Studies 33, 1982, pp.379-384.

24. Strict is a relative term. The Qumran sectarians seemed to have called the Pharisees 'seekers of smooth things', although this identification is not proven. Pharisees were by reputation less harsh and more humane than the Sadducees. However, the very name and the Rabbinic literature gives ample evidence that Pharisees hardly assimilated into the Graeco-Roman culture; Vermes, G., The Dead Sea Scrolls: Qumran in Perspective, (London: Collins, 1977) p.142.

25. Jeremias, J., Jerusalem in the Time of Jesus: An Investigation into Economic and Social Conditions During the New Testament Period, trans. F.H. and C.H. Cave, (London: SCM Press, 1969), p. 248.

26. Baeck, L., The Pharisees and Other Essays, (New York: Schocken Books, 1947), p.76.

27. Schürer^{rev} vol. 2, p.396.

28. Schürer^{rev} vol. 2, pp.388ff.; Jeremias, Jerusalem, p.266; Strack-Billerbeck, vol. 4.1, pp.334-352.

29. Zeitlin, S., 'The Pharisees: An Historical Study' Jewish Quarterly Review 52, 1961-2, pp.97-129.

30. Josephus Ant. xviii, 4; Schürer^{rev} II, pp.598-608.

31. Schürer^{rev} vol. 2, p. 394. But see, Thiering, B.F., The Qumran Origins of the Christian Church, (Sydney: Theological Explorations, 1983).

32. Vid. Aristotle, Athenian Constitution 42.1; Xenophon Memorabilia iv. 4,16; Glotz, G., The Greek City and its Institutions, (London: Routledge and Kegan Paul, reprinted 1969), pp. 132-140.

Appendix 2

Provocatio

A full discussion of the history of *provocatio* would exceed the scope of this dissertation and be redundant in light of the impressive dissertation of W.R. Long¹. Our concern is much more limited in scope. However a short excursus into the issue is necessary. We shall present a general synopsis of the extent of the historical debate concerning the Roman citizen's right of appeal both in the Republic and in the Empire by outlining the various positions of scholars starting with the seminal work of T. Mommsen and the revisionist accounts of W. Kunkel and A. Lintott. In addition, we shall indicate the distinction between *provocatio* and *appellatio*.

T. Mommsen's discussion of the Roman legal history and the development of the right of appeal is unmatched in erudition and scope². His work, written during the last decade of the 19th century, maintained its almost unchallenged status until the middle decades of the 20th century when C. Brecht and J. Bleicken began to re-interpret the evidence³. Wolfgang Kunkel, greatly influenced by Bleicken and Brecht, presented in 1962 the most comprehensive attack on Mommsen that gained acclamation and a number of influential followers⁴. More recently still, A.W. Lintott concluded that Mommsen's discussion was out of date⁵. However, despite the disclaimers from several classical legal scholars, Mommsen's discussion still holds its place of authority in the field and continues to influence New Testament scholars through the works of A.H.M. Jones and Sherwin-White⁶.

To Mommsen, *provocatio* was the very cornerstone of Roman political

and legal freedom. He relied upon the words of Cicero, to whom *provocatio* was the, "*patronam illam civitatis ac vindicem libertatis*"⁷. Mommsen also trusted the account of Livy who called *provocatio* the "*arx libertatis tuendae*"⁸. To Mommsen, the *provoco ad populum* effectively checked the magistrate's *coercitio* and inaugurated a formal court proceeding. For Mommsen, this right of *provocatio* extended to every Roman citizen, within one mile of the city boundary, who could appeal against both civil and capital sentences or a fine of more than 3,020 asses.⁹

According to Mommsen, before the "struggle of the orders" and before *provocatio*, the magistrates acted in virtue of his *imperium* as prosecutor, judge and executioner without effective or continuous check upon his authority¹⁰. However, Mommsen contends that in 509 B.C.E. Publius Valerius, after the defeat of the Tuscans, declared that citizens could appeal from the magistrates to the people. Livy, recalling this event, writes:

Ante omnes de provocatione adversus magistratus ad populum...¹¹

With this introduction of *provocatio*, the power of the magistrates subsided and the criminal process developed two stages: 1) a judgement of a magistrate (court of first instance) followed by 2) a trial on *provocatio* by the *iudicium populi* (court of second instance) that could annul but not modify the magistrate's sentence. Hence, for this second stage the magistrate became, for all practical purposes, the prosecutor of the case. Mommsen argued that this procedure was used for both political and common crimes. To Mommsen, after 149 B.C.E., permanent *quaestiones* were set up for specific crimes so that private citizens became accusers and the magistrate became the president of a court¹². Mommsen defines the verb *provocare* as "to call further on", meaning from

a magistrate to a popular assembly. His definition fits into his reconstruction of the development of a two-part judicial process¹³.

This first Valerian law, was restated and extended by two later Valerian laws, by the *leges Porciae* during the 190's B.C.E., by the *lex Sempronia de capite civis*¹⁴ (ca. 121 B.C.E.) which was intended to remove capital jurisdiction from any magistrate, and finally by the *Lex Julia de vi publica*. Therefore, to Mommsen, despite certain exceptions, there was a smooth and even development of the right of the Roman citizen to appeal against a judgement of a magistrate. This right eventually extended throughout the Roman Empire. Unfortunately for Mommsen's case, the evidence which would support the extension of *provocatio* into the provinces is ambiguous.

W. Kunkel, following C. Brecht's and J. Bleicken's revision of Mommsen's study, published his influential Untersuchungen zur Entwicklung des römischen Kriminalverfahrens in vorsullanischer Zeit in 1962 and thereby presented the first full critique of Mommsen's classic study. That Kunkel's revision of Mommsen was so long in coming is testimony to Mommsen's breadth of scholarship and insight. Kunkel rejected Mommsen's description of the history and the reconstruction of the two-part judicial procedure¹⁵. To Kunkel, the law pertaining to *provocatio* did not commence with the first Valerian law in 509 B.C.E., but rather was first published in the Valerian law of 300 B.C.E. Before this date "*provoco*" was an "amorphous call" to those gathered around and was only as strong as the relationship between the accused and the people. To Kunkel, a trial could follow *provocatio* but formally the *provocatio* did not necessarily lead to a court of second instance. The intention of the law was solely to protect the plebs from the arbitrary

coercitio of the magistrate. Kunkel believed that *provocatio* neither limited the magistrate's legal jurisdiction nor inhibited his power to sentence. It could, however, protect the citizen from arbitrary punishment. Although in theory he grants that the laws afforded legal protection to citizens, Kunkel is dubious just how effective the laws were. Kunkel concluded that the efficacy of the *leges Valeriae* of 509, 449 and 300 B.C.E. and the *leges Porciae* of the late 2nd century B.C.E. are of overestimated value.

Although not everyone agrees with every aspect of Kunkel's assessment, his reconstruction has, to some extent, superseded Mommsen's older view. In any event, his statement that there is no evidence from the provinces that *provocatio* was effective in bringing about a formal appeal trial is difficult to ignore.

A.W. Lintott has recently discussed the origin and development of *provocatio*¹⁶. He argues that *provocatio*, far from rising from any specific law, was, rather, an accepted custom with which Roman law had to come to terms. To Lintott *provocatio* was "...defined, circumscribed and slipped into a niche in the legal system by the *lex Valeria* of 300."¹⁷ The verb *provocare* meant to call citizens into the streets to "witness an outrage and to afford assistance"¹⁸. Hence, the earliest meaning which lies behind the *provocatio ad populum* was "Come out Citizen!". To Lintott, the lack of evidence indicating that *provocatio* succeeded in assuring a second trial, suggests that *provocatio* was never intended as an automatic right to suspend a judicial hearing. If the crime committed was sufficiently serious, the Tribune and the people were not likely to intervene on "behalf of those who threatened their own community."¹⁹ Lintott's conclusion goes some way towards explaining

the evidence which suggests that some cries for intervention went unheeded. Lintott, like Kunkel, dismisses Mommsen's reconstruction and indicates that Roman legal procedure, well into the second century, was more fluid than had been formally belived. Moreover, Lintott implies that social custom shaped the law rather than being shaped by it.

Provocatio and Appellatio

Mention must be made of the distinction between *provocatio* and *appellatio* as appeal procedures in the Roman legal process. A lengthy discussion is unnecessary and can be left to the specialists. Yet a few comments are in order to attempt to relieve confusion. Formally, *provocatio* and *appellatio* were two entirely separate ways of securing protection. In theory, if not always in practice, *provocatio* was an appeal to the people, or their representatives, invoked in a criminal case against a magistrate's *coercitio* which involved capital punishment (flogging, imprisonment, death) as well as large monetary fines (3020 asses). *Apellatio*, (*Appello*-'I appeal to') was usually directed to the tribune and originated in the sphere of civil law. An appeal was made against the decision of a judge to the higher magistrate who had appointed the presiding judge of the first instance. An appeal was made orally or in writing (*libelli appellatorii*) to the judge whose decision had been questioned. The judge was then obliged to forward the appeal to the higher magistrate with a written report (*litterae dimissionae*). It was theoretically possible to appeal all the way to the Emperor. In the Republican period references to *appellatio* are usually found in form of *tribunos appellare*²⁰ or *praetores appellare*²¹.

However, in Livy, it should be noted, that *appello* and *provoco* are

present in the same sentence and almost synonymous: "tribunos plebis appello et provoco ad populum."²² Mommsen makes a good case for the elimination of the distinction of *provocatio* and *appellatio* during the early days of Augustus (ca.30 B.C.E.) when Octavius was given the tribunal powers and the Emperor became both *iudex* and *Princeps* and, hence, was the ultimate source of both appeals²³. Dio's description of the event is as follows:

τὴν τε ἡμέραν ἐν ᾗ ἡ Ἀλεξάνδρεια ἔαλω, ἀγαθὴν τε εἶναι καὶ
 εἰς τὰ ἔπειτα ἔτη ἀρχὴν τῆς ἀπαριθμήσεως αὐτῶν νομίζεσθαι,
 καὶ τὸν Καίσαρα τὴν τε ἐξουσίαν τὴν τῶν δημάρχων διὰ βίου
 ἔχειν, καὶ τοῖς ἐπιβοωμένοις αὐτὸν καὶ ἐντὸς τοῦ πωμηρίου
 καὶ ἔξω μέχρις ὀγδοῦς ἡμισταδίου ἀμύνειν ὃ μηδενὶ τῶν
 δημαρχούντων ἐξῆν, ἐκκλητὸν τε δικάζειν καὶ ψηφὸν τινα
 αὐτοῦ ἐν πᾶσι τοῖς δικαστηρίοις ὥσπερ Ἀθηναῖς φέρεσθαι...²⁴

Lintott, returning to the essentials of Mommsen's argument, concludes:

...it was often hard to distinguish the two forms of appeal for protection. They were superficially different ways of achieving the same end, using the same basic source of power. For this reason it seems wrong to draw a fundamental distinction between them in discussion, especially when appeal to the tribunes might lead to the same sort of debate before and after decision by the people as *provocatio*²⁵.

Traditionally, Paul's "appeal" in Acts 25 has been discussed in terms of *provocatio*. However, the account in Acts does not simply follow this pattern, for Paul neither appeals for protection against harsh punishment nor does he appeal against a specific sentence. Paul "appeals" before the sentence has been handed down. This incongruity has led to a number of interpretations. A. Lintott argues that an appeal could occur at any time before, during, or after any law-enforcement by a magistrate, and an appeal to the Emperor might occur at any time when a citizen was subjected to a magistrate's power²⁶. Hence, Paul's "appeal" as described by Luke would fall under Lintott's general description. However, Lintott has no supporting evidence that this

assertion.

A.H.M. Jones and A.N. Sherwin-White have pressed for an historical, legal and conceptual distinction between *provocatio* and *appellatio*. *Provocatio* was an appeal before sentencing which was used until some time in the early 2nd century C.E. and *appellatio* was a formal appeal after sentencing which developed in the first decades of the same century²⁷. Hence, Paul's "appeal" is a type of late *provocatio*. Unfortunately there is no unequivocal evidence to substantiate such a claim. Garnsey has concluded that Paul's "appeal" was no formal appeal at all but an example of another obscure citizen's right known as *refectio* (vid. chapter 6).

Summary

Despite the above reconstructions and interpretations of the evidence, Kunkel's statement, indicating that there is no recorded instance (besides the account in Acts) of an appeal against a Governor's *coercitio* being granted, should not be dismissed. We have found Kunkel's presentation convincing. Garnsey's conclusions are likewise persuasive: " *provocatio ad populum* existed on paper, but was simply not enforced"²⁸. This seems to be the most likely option. Lintott implies a similar position when he writes:

If no *provocatio* was made or there was no response to it from the tribunes and people, then there was nothing to prevent a Roman citizen being executed²⁹ (emphasis mine).

There can be little doubt that laws protecting Roman citizens were known in some form or another from the days of the Republic to the days of the Digest. Yet, that the *Lex Julia de vi Publica* is, for all practical purposes, merely a restatement of the earlier laws concerning

protection, suggests that the *lex Valeria* and *leges Porciae* were not consistently enforced and far from effective. A. Lintott notes another interesting issue about the *lex Julia*:

It is at first sight puzzling why such a misuse of official power should have been brought under the *lex de vi publica* which was primarily concerned with sedition, brigandage, and the like. One reason may have been *that maiestas and repetundae were charges above the station of the humiliores*³⁰ (emphasis mine).

One should not place too much emphasis on this comment for Lintott does not develop it. Yet, the perceived connection between legal protection and social status should not be dismissed without further thought.

Notes to Appendix 2

1. Long, W.R., 'The Trial of Paul in the Book of Acts: Historical, Literary and Theological Considerations' Yale University PhD., 1982; See also the earlier work of Martin, J., 'Die *Provocatio* in der klassischen und späten Republik', *Hermes* 78, 1970, pp. 72-96.
2. Mommsen, T., Römisches Staatsrecht (Röm. Staat.)² 3 vols, in Marquardt, J. and Mommsen, T., Handbuch Der Römischen Altertümer³ 5 vols, (Graz: Akademische Druck-u. Verlagsanstalt, 1969) 1st published in 1871; Mommsen, T., Römisches Strafrecht (Röm. Straf.) (Leipzig: Verlag von Duncker und Humblot, 1899.
3. Brecht, C.H., 'Zum römischen Komitalverfahren' Zeitschrift für Rechtsgeschichte (ZS), 59, 1939 pp. 261-314; Bleicken, J., 'Provocatio' RE pp. 2444-2463; and 'Ursprung und Bedeutung der Provocation' ZS 76, 1959 pp. 324-377.
4. Kunkel, W., Untersuchungen zur Entwicklung des römischen Kriminalverfahrens in vorsullanischer Zeit, (München: Verlag der Bayerischen Akademie der Wissenschaften, 1962); Kunkel has certainly influenced the work of P. Garnsey and no doubt the publications of F. Millar, J. Martin and A. Lintott have also been shaped by Kunkel's reconstruction.
5. Lintott, A.W., 'Provocatio, From the Struggle of the Orders to the Principate' ANRW I, 2, pp. 226-267.
6. Jones, A.H.M., Studies in Roman Government and Law, (Oxford: Basil Blackwell, 1960); Sherwin-White, A.N., Roman Society and Roman Law in the New Testament, (Oxford: At the Clarendon Press, 1963).
7. Cicero, De Oratore 2, 199.
8. Livy iii, 45, 8.
9. Mommsen, Röm. Straf. p. 35, 63-68 for a description of the five-part provocatio process; p. 163ff; Röm. Staat. III, 354ff.
10. Ibid. pp. 50-51.
11. Livy, ii, 8, 2.
12. Mommsen, Röm. Straf. p. 167 n. 3, 474 n. 4.
13. Jolowicz, H.F. and Nicholas, B., Historical Introduction to Roman Law, (Cambridge: At the University Press, 1972) p. 306, also argue for a two-stage process.
14. The *Lex Sempronia de capite civis* (121 B.C.E.), which predated the last of the Porcian laws mentioned above, was formulated in opposition to the *quaestiones extra ordinem* which were courts commissioned by the Senate to investigate behaviour considered to be deleterious to the Roman way of life. These courts had grown in number and influence by the middle of the second century B.C.E. The *Lex Sempronia* protected the citizen from the death penalty which could not be carried out without specific confirmation of the *comitia centuriata*. Apparently before the *Lex Sempronia* the *quaestiones extra ordinem* were unappealable.

15. Kunkel, W. Untersuchungen chapter 2, pp.24-5; vid. review of Kunkel by Brunt, P.A., in Tijdschrift Voor Rechtsgeschiedenis, 32, 1964 pp.440-449.
16. Lintott, 'Provocatio', pp.226-267.
17. Ibid. p.227.
18. Ibid. p.232.
19. Ibid. p.253.
20. Livy, ii.55.4; viii.33.8; ix.26.16.
21. Cicero, Verr.Or. ii,4.65,146,149.
22. Livy, viii,33.8; iii,56.5.
23. Mommsen, Röm.Straf. p.473 n.4; Röm.Staat. I, pp.276-77 for appeal to the Tribunes; Hartmann, L., 'Appellatio' PRE 2, pp.194-208; Lintott, 'Provocatio' p.234.
24. Cassius Dio 51,19.6f.
25. Lintott, op.cit. p.234.
26. Ibid. p.264.
27. Jones, A.H.M. 'I Appeal to Caesar', Studies, pp. 58,63; Sherwin-White, Rom.Soc. p.68.
28. Garnsey, P. 'The *Lex Julia* and Appeal under the Empire' JRS 56, 1966 p.187.
29. Lintott, 'Provocatio', p.244.
30. Ibid. p.266.

Abbreviations

ANRW= Aufstieg und Niedergang der römischen Welt: Geschichte und Kultur Roms im Spiegel der neueren Forschung, eds. Temporini, H., & Haase, W., (Berlin: Walter de Gruyter, 1972-).

AJP= American Journal of Philology.

ASR= American Sociological Review.

BASOR= Bulletin of the American School of Oriental Research.

Begs.= Beginnings of Christianity, part 1. The Acts of the Apostles, 5 vols., ed. Jackson, F., and Lake, K., (London: The Macmillan Co., 1920-1933).

BGU= Aegyptische Urkunden aus den koeniglichen Museum zu Berlin: Griechische Urkunden: Vierter Band (Berlin: Weidmannsche Buchhandlung: 1912).

BJRL= Bulletin of the John Rylands Library.

BThB= Biblical Theology Bulletin.

BZ= Biblische Zeitschrift.

CBQ= Catholic Biblical Quarterly.

CIG= Corpus Inscriptionum Graecarum, 38 vols., ed., Franzius, J., (Berlin: Vendit G. Reimeri Libraria, 1853).

CPJ= Corpus Papyrorum Judaicarum, 3 vols., eds. Tcherikover, V.A., Fuks, A., (Cambridge: Harvard University Press, 1957).

Catacombs and the Colosseum= The Catacombs and the Colosseum: The Roman Empire as the Setting of Primitive Christianity, eds., Benko, S., and O'Rourke, J.J., (Valley Forge, Pa.: Judson Press, 1971).

ET= The Expository Times.

EvTh= Evangelische Theologie.

HTR= Harvard Theological Review

IESS= International Encyclopedia of the Social Sciences, ed. Sills, D.L., 17 vols., (New York: The Macmillan Co. and The Free Press, 1968).

JAAR= Journal of the American Academy of Religion.

JAC= Jahrbuch für Antike und Christentum.

JBL= Journal of Biblical Literature

JHS= Journal of Hellenistic Studies.

JJS= Journal of Jewish Studies.

JR= Journal of Religion.

JRS= Journal of Roman Studies.

JSNT= Journal for the Study of the New Testament.

JSJ= Journal for the Study of Judaism.

JTS= Journal of Theological Studies.

Loeb= The Loeb Classical Library, (London: William Heinemann, Ltd., 1908-).

NTS= New Testament Studies.

New Docs= New Documents Illustrating Early Christianity, 4 vols., ed. Horsley, G.H.R., (North Ryde: The Ancient History Documentary Research Centre, Macquarie University, 1981-1987).

New Perspectives= Luke-Acts: New Perspectives From the Society of Biblical Literature, ed., Talbert, C.H., (New York: Crossroads, 1984).

NovT= Novum Testamentum.

OCD= The Oxford Classical Dictionary, eds. Hammond, N.G.L., and Scullard, H.H., (Oxford: At the Clarendon Press, 1970).

OGIS= Orientis Graeci Inscriptiones Selectae, 2 vols., ed., Dittenberger, W., (Lipsiae: Apud S. Hirzelium, 1903).

PBSR= Papers of the British School at Rome.

PLA= Political Issues in Luke-Acts, eds. Cassidy, R.J., and Scharper, P.J., (New York: Orbis Books, 1983).

Perspectives= Perspectives on Luke-Acts, ed. Talbert, C.H., (Edinburgh: T. & T. Clark, 1978).

PRE= Paulys Real-Encyclopädie der Classischen Altertumswissenschaft (Stuttgart: J.B. Metzlerscher Verlag, 1894-1972).

PRE Supp.= Paulys Real-Encyclopädie Supplement.

RAC= Reallexicon für Antike und Christentum. Sachwörterbuch zur Auseinandersetzung des Christentums mit der antiken Welt, (Stuttgart: Hierseemann, 1950-).

SBLDS= Society of Biblical Literature Dissertation Series.

SBL Sem. Pap.= Society of Biblical Literature Seminar Papers.

Schürer^{rev}= Schürer, E., The History of the Jewish People in the Age of Jesus Christ, rev. and ed., Vermes, G., Millar, F., and Black, M., (Edinburgh: T. & T. Black, 1973-1987).

SIG= Sylloge Inscriptionem Graecarum³, 4 vols., ed., Dittenberger, W., (Lipsiae: Apud S. Hirzelium, 1915).

SLA= Studies in Luke-Acts, eds. Keck, L., and Martyn, J.L., (New York: Abingdon Press, 1966).

Strack-Bill.= Strack, H.L., Billerbeck, P., Kommentar zum Neuen Testament aus Talmud und Midrasch, 6 bands, (München: Beck'sche Verlagsbuchhandlung, 1926-).

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Studies in Roman Government= Jones, A.H.M., Studies in Roman Government and Law, (Oxford: Basil Blackwell, 1960).

TDNT= Theological Dictionary of the New Testament, ed. Kittel, G., trans. G.W. Bromiley, (Grand Rapids: Eerdmans, 1964).

TL= Theologische Literaturzeitung.

TRu= Theologische Rundschau.

ZNW= Zeitschrift für die neutestamentliche Wissenschaft.

Texts and Translations

Unless otherwise referred to below or in the endnotes, texts from the classical Greek authors are taken from Thesaurus Linguae Graecae. Canon of Greek Authors and Works², ed. Berkowitz, L., and Squitler, K.A., with technical assistance from W.A. Johnson, (Oxford: Oxford University Press, 1986). Citations from the classical Latin authors as appear on the Packard Humanities Institute (PHI) CD-ROM, produced by D.W. Packard, (Los Altos, (Ca.): PHI Institute, 1987).

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